

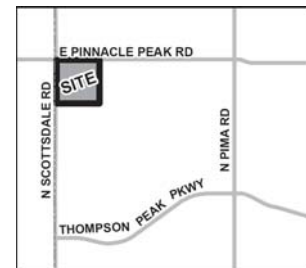
# PLANNING COMMISSION REPORT



MEETING DATE: November 30, 2005      ITEM NO. \_\_\_\_\_ GOAL: Coordinate Planning to Balance Infrastructure

SUBJECT                      **Silverstone  
15-ZN-2005, 13-UP-2005**

- REQUEST
1. Request to rezone from Western Theme Park District (W-P) to Planned Community District (PC) with comparable zoning of Central Business District (C-2), Commercial Office District (C-O), and Multiple Family Residential District (R-5), including amended development standards on 160+/- acres located at the southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road.
  2. Request approval of a Conditional Use Permit for a residential health care facility on Parcel H of the 160-acre property located at the southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road.



## **Key Items for Consideration:**

- A General Plan Amendment was approved in October 2005 to establish a Mixed Use Neighborhoods designation for the property.
- The General Plan Character Element designates this location as an Activity Center feature.
- The existing tourist destination use (Rawhide) is relocating.
- The rezoning will allow a mixture and variety of land use activity to serve and support the surrounding area.
- Open space areas and buffers provide transition to surrounding neighborhoods and maintain a suburban desert character.
- Mixed-use activity would change and increase traffic patterns.
- This application proposes a multi-story residential health care facility located as part of a larger senior residential complex.
- Citizens have raised concerns regarding density, traffic, and building heights.

## **Related Policies, References:**

Case 7-GP-2005 amended the General Plan to establish a Mixed Use Neighborhoods designation for the property.

OWNER                      RHVT LLC  
602-230-1051

APPLICANT CONTACT     John Berry  
Berry & Damore, LLC  
480-385-2727

LOCATION                     Southeast corner of E. Pinnacle Peak and N. Scottsdale Roads

BACKGROUND             **General Plan.**

Land Use:

A General Plan Amendment was approved in October 2005 to establish a Mixed Use Neighborhoods land use designation for the property. Mixed Use Neighborhoods provide opportunities for a variety of land use activity to serve and support the surrounding area. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office. Mixed-use activities provide opportunities for residential and commercial development to compliment one another, as well as strengthen the employment and retail capabilities in the area.

Character and Design Element:

The Character and Design Element of the General Plan designates this site within the Suburban Desert Character Type. This Character type typically contains medium density neighborhoods that include a variety of commercial and employment centers and resorts. The Character Types Map also designates an Activity Center designation located at the subject site. Activity Centers include mixed-use areas that are smaller than employment cores, but larger than neighborhood centers and often have greater intensities of development than the surrounding area.

**Zoning.**

The site is currently zoned Western Theme Park District (WP), which is intended to provide for major western theme park recreational uses containing a broad variety of thematic recreational, entertainment, and ancillary commercial uses. Development of the Rawhide theme park at this location began in the early 1970s, when it was under the jurisdiction of Maricopa County. As the site developed, virtually all of the property was modified by actions such as the construction of the extensive parking lot, Western Town, exhibition and event areas, the relocation of wash channels, and the construction of dikes, and campfire and trail areas.

When the Environmentally Sensitive Lands (ESL) Ordinance was developed and applied to properties in the early 1990s, it was determined that this property and the scarred lands to the south of it were not in a reasonable condition to apply the standards contained in the ESL Ordinance. Therefore, the ESL Overlay was not applied to these properties.

**Context.**

The 160-acre property is located at the southeast corner of N. Scottsdale Road and E. Pinnacle Peak Road and was formally used as a western theme park (Rawhide). The site is surrounded on all four sides by roads. To the north are commercial and residential uses, with Commercial, Suburban Neighborhoods, and Office land use designations. To the east are also commercial and residential land uses, with Office and Suburban Neighborhoods land use

designations. To the south are commercial and industrial land uses, with Commercial and Employment land use designations. To the west is the jurisdiction of the City of Phoenix, with planned commercial/mixed use land uses.

The site contains a major wash (Rawhide Wash) located near the northwest corner of the property, which currently sheet flows across both E. Pinnacle Peak Road and N. Scottsdale Road. Although much of the site has been disturbed over time, there are areas containing native vegetation on the northeast side of the site.

**Adjacent Uses/Zoning:**

- North: Commercial and residential, zoned C-2 ESL, R1-5 ESL, C-O ESL, R1-43 ESL Districts
- South: Commercial and industrial, zoned C-3, I-1, S-S, C-2 Districts
- East: Commercial and residential, zoned C-1 ESL, C-O ESL, R-4 ESL Districts
- West: Vacant, planned for mixed use in the Phoenix Jurisdiction, zoned C-2 PCD, R1-6 PCD and R1-10 PCD

APPLICANT'S  
PROPOSAL

**Goal/Purpose of Request.**

This is a three-part request to allow the development of a master planned community having a variety of commercial, office, residential, public, and open space uses on the 160 acres.

1. Rezone from Western Theme Park District (WP) to Planned Community District (P-C) with comparable zoning of Central Business District (C-2), Commercial Office District (C-O), and Multiple Family Residential District (R-5).
2. Amend development standards to allow open space requirements to be shared throughout the development, and to allow 45-foot building height for the proposed residential health care facility.
3. Approve a Conditional Use Permit for a residential health care facility, which would be part of a larger senior housing development.

**Development Information.**

- Existing Use: Western Theme Park (Rawhide)
- Proposed Use: Residential, offices, and commercial
- Parcel Size: 160 acres
- Building Height Allowed: 36 feet
- Building Height Proposed: 24-45 feet
- Floor Area: 305,000 square feet
- Density Proposed: 976 units (6.1 units per acre overall)

**Key Issues.**

- Traffic and density
- Building Height

## IMPACT ANALYSIS

**Planned Community District (PCD) Findings.**

The PCD is designed and intended to enable and encourage the development of large tracts of land so as to achieve land development patterns that will maintain and enhance the physical, social and economic values of an area. The master development plan is an integral part of the PCD. Before approval or modified approval of an application for a proposed PCD, the Planning Commission and the City Council must find:

- A. That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.
- B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.
- C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:
  1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities are adequate to serve the anticipated population.
  2. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.

**Development Program.**

The relocation of the existing western theme park (Rawhide) from the property suggests a change in the zoning is appropriate. The proposed Planned Community District (PCD) will provide opportunities for a variety of land use activity to serve and support the surrounding area, which is in harmony with the recently amended General Plan. The proposed land use pattern for the property includes commercial, office, residential, public, and open space uses. The plan also provides opportunities for new municipal uses, such as a library, park, or fire station, to serve the development and surrounding community. This application proposes a multi-story residential health care facility located as part of a larger senior residential complex. The various activities provide opportunities for residential and commercial development to compliment one another, as well as strengthen the employment and retail capabilities in the area. The table below shows the proposed land use summary:

<b>Parcel</b>	<b>Acres</b>	<b>Land Use</b>	<b>Floor Area/Units</b>	<b>FAR/Density</b>
A and B	4.48	Municipal	45,000 sq.ft.	0.23
C	12.47	Retail	95,000 sq.ft.	0.17
D	12.42	Office	165,000 sq.ft.	0.30
E	17.47	Residential	262 units	14.9 du/ac
F	21.82	Residential	186 units	8.5 du/ac
G	23.77	Residential	258 units	10.8 du/ac
H	34.26	Residential	270 units	7.8 du/ac
Wash/ Park	12.92	Wash/Park	--	--
Other	20.39	Streets, etc.	--	--
<b>Total</b>	<b>139.61</b>		<b>305,000 sq.ft./ 976 units</b>	

Timing of the development will be dictated by improvements to the wash and street network. No office or retail development (Parcels C and D) will occur until N. Scottsdale Road and E. Pinnacle Peak Road are built to their ultimate configurations (6 lanes and 4 lanes respectively).

#### **Amended Development Standards.**

All land uses in the PCD will conform to the property development standards of the comparable Central Business (C-2), Commercial Office (C-O), and Multiple Family Residential (R-5) zoning districts. Modification of the comparable district's standards may be allowed to produce a living environment, landscape quality and life-style superior to that produced by existing standards. The proposed development plan includes the removal of land uses deemed undesirable by the applicant (such as adult uses), and clarifies other land uses.

The proposed amended development standards also allow flexibility for open space requirements to be shared throughout the development, and allow 45-foot building height for the proposed residential health care facility. The open space for the master plan will be primarily distributed within the Rawhide Wash, the scenic corridor and buffered setbacks, and within interior parks and open space areas. The 45-foot tall building height standard will be limited to the residential health care facility, which will be located approximately 300 feet from the nearest public street. The modified standards provide flexibility to produce a living environment, landscape quality and life-style superior to that produced by existing standards.

#### **Traffic.**

Scottsdale Road is classified as a Major Arterial Roadway in the city's Streets Master Plan; it currently consists of two lanes in each direction along the western boundary of the site. The current daily traffic volume adjacent to the site is 33,000 vehicles. Pinnacle Peak Road is classified as a Minor Arterial. Pinnacle Peak currently consists of one lane in each direction with a center turn lane in the vicinity of the site. The current daily traffic volume adjacent to the site is 17,400 vehicles. Miller Road is classified as a Minor Arterial. In the vicinity of Pinnacle Peak Road, Miller Road currently consists of two northbound lanes and one southbound lane with a raised median; it transitions

to a two-lane roadway with no median as it approaches Williams Road. The current daily traffic volume adjacent to the site is 9,600 vehicles. Williams Road is classified as a Major Collector. Williams Road currently consists of one lane each direction. The current daily traffic volume adjacent to the site is 3,500 vehicles.

The intersections of Scottsdale Road and Pinnacle Peak Road, and Miller Road and Pinnacle Peak Road are currently signalized. The intersections of Williams Road with Scottsdale Road and Miller Road are stop controlled.

The trip generation calculations indicate that the proposed development would generate approximately 13,657 daily trips, with 698 trips generated during the a.m. peak hour and 1,317 trips generated during the p.m. peak hour. It has been estimated the previous land use, Rawhide Western Theme Park, had an annual attendance of 800,000 visitors. This attendance is estimated to represent approximately 2,200 daily trips, although it is likely that the traffic generation was higher on weekends and during special events.

The developer will be required to complete the street improvements for Williams Road and Miller Road adjacent to their site. Both of these streets will be four lane roadways. The developer is also responsible for installing traffic signals at the Scottsdale Road and Miller Road intersections with Williams Road. The applicant has agreed to construct the full four lane street improvements for Pinnacle Peak Road from Scottsdale Road to Miller Road. These improvements will include adding necessary auxiliary lanes at the Scottsdale Road and Miller Road intersections. All of these street improvements are required to be completed prior to the issuance of any certificate of occupancy for lots within the residential portions of the development. The City is scheduled to complete the remaining portion of Pinnacle Peak Road from Miller Road to Pima Road in fiscal year 2007/2008.

The City is scheduled to construct N. Scottsdale Road from E. Thompson Peak Parkway to Pinnacle Peak Road to its full six lane cross section with raised median in years 2010/2011. The applicant has agreed to a condition that this section of Scottsdale Road will be widened to six lanes prior to the issuance of certificate of occupancy for any buildings on the non-residential portions of the development.

The traffic impact study prepared by Parsons Brinckerhoff under the City's TIMA Program, indicates that the traffic generated by the proposed development will not adversely impact the street system in the vicinity of the site. With the addition of the required street improvements as outlined in the study, the overall traffic operations will be acceptable with the full build out of the site as currently proposed.

One of the Goals of the Community Mobility Element is to emphasize "work, live and play" relationships in land use decisions that will reduce the distance and frequency of automotive trips. Another Goal discusses the relationship and balance of land uses within general areas that will help reduce the demand on transportation systems. The development plan would allow residents to walk to commercial services, allowing a consolidation of trips.

**Drainage.**

The existing Rawhide Wash located at the northwest corner of the site will need to be managed to preclude flooding during all stormwater runoff events of the site with no adverse impacts to other properties. It is anticipated that both Pinnacle Peak and Scottsdale Roads will need to have culverts or bridges to accommodate the high flows of Rawhide Wash. This wash has a potential of becoming a significant amenity for the project with consideration of active natural connectivity to adjacent neighborhoods and planned development. The developer will be responsible for their proportionate share of the flood control improvements. Coordination with other stakeholders to the west, such as the City of Phoenix and private development, will be necessary as the water passes through this development and exits to the west. Any drainage improvements needed in advance of a related City capital improvement project will be the responsibility of the developer.

Timing of the development will be dictated by improvements to the wash and street network. No office or retail development (Parcels C and D) will occur until N. Scottsdale Road and E. Pinnacle Peak Road are built to their ultimate configurations.

**Open space, scenic corridors.**

In addition to the 12 acres of open space provided in the Rawhide Wash and Park, the development plan includes a 100-foot wide scenic corridor along N. Scottsdale Road, a 50-foot wide landscape buffer along E. Pinnacle Peak Road, and 30-foot wide landscape buffers along Miller and Williams Roads.

**Water/Sewer.**

The applicant has submitted Basis of Design Reports for water and wastewater, and existing water infrastructure appears sufficient. Significant wastewater infrastructure improvements are anticipated to accommodate increased intensity/density at this location. The developer will be responsible for their proportionate share of the infrastructure improvements necessary to accommodate the demand generated by the new uses. Any infrastructure improvements needed in advance of a related City capital improvement project will be the responsibility of the developer.

**Police/Fire.**

The development plan includes 4.5 acres for future municipal uses, including approximately 2 acres for a future fire station. The fire station is stipulated to be located along Williams Road for direct access to the traffic signal at N. Scottsdale Road.

**Schools District comments/review.**

The Paradise Valley Unified School District has indicated that there are adequate school facilities to accommodate additional students generated by the development.

**Use Permit Criteria.**

This is a request for a conditional use permit for a multi-story minimal residential health care facility with 60 units. A minimal residential health care facility, also known as an assisted living facility, provides assistance with the

activities of daily living for adults that do not require 24-hour skilled nursing care. These facilities typically provide living quarters, central dining, transportation, and limited medical assistance. This type of facility does not provide convalescent or nursing home services for persons who need nursing services on a continuing basis.

Conditional use permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and the City Council has found as follows:

- A. That the granting of such conditional use permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
    - ***This is a component of the proposed master development plan, and there will be no nuisances arising from activities associated with this use.***
  2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
    - ***These types of facilities provide regular transportation services and have very few residents that drive. This use will result in a decrease of traffic compared to other multi-family residential uses, and will not negatively impact the surrounding area.***
    - ***Parking for this facility will be based on 0.5 spaces per unit resulting in a minimum of 30 parking spaces. Parking demand for this facility is relatively low and will be accommodated on site.***
  3. There are no other factors associated with this project that will be materially detrimental to the public.
    - ***There are no other factors associated with this use that will negatively impact the surrounding area.***
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
- ***The proposed facility will be located interior to a planned development. The facility functions as a transitional residential use between the other residential activities planned to the east and the planned commercial activities to the west.***
- C. The additional conditions specified in Section 1.403 for Minimal Residential Health Care Facilities have been satisfied.
- a. The gross lot area shall not be less than one (1) acre.
    - ***The property is larger than 1-acre in size.***
  - b. The number of units shall not exceed forty (40) dwelling units per gross acre of land.
    - ***The proposed number of units is 60 and will not exceed 40 dwelling units per acre.***
  - c. A minimum of twenty-four (24) percent of the net lot shall be provided in meaningful open space, and a minimum of one-half of the open space requirement incorporated as frontage open space



- ***The development will meet or exceed the open space requirements.***
- d. The site plan shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) in a manner that will provide convenient pedestrian access for residents, guests, and visitors.
- ***Parking will be provided with underground parking as well as surface parking to provide convenient pedestrian access.***

**Community Involvement.**

The site has been posted with multiple notification signs for months, property owners within 750 feet have been notified by the City and the applicant has notified surrounding property owners and homeowner associations within one mile of the site. Multiple open houses have been held in addition to meetings with interested parties. Open house comments and letters have been received, with some in support of the project and some in opposition to the project. Comments emphasized the need for master planning to mitigate impacts associated with the project, and other comments pertained to the degree of residential density increase and commercial intensity increase, increased traffic caused by the proposed development, building heights obstructing views, and setbacks from the roadways. (See Attachment #8 for Citizen Involvement information).

In response to citizen concerns and market conditions, the applicant has continued to communicate with neighbors and interested parties. Over time, the applicant has continued to reduce the intensity and density of the development, and traffic impact studies have been updated.

The City of Phoenix has indicated they have no issues with the proposed land use amendment, and anticipates the mixed-use designation will compliment and enhance the adjacent existing and proposed land uses in Phoenix.

**Community Impact.**

Although the Rawhide facility has been a part of Scottsdale's tourism base for decades, the relocation of the existing western theme park suggests the W-P District is no longer appropriate for the property. The PCD provides an opportunity for a variety of land use activity to serve and support the surrounding area, and would allow "work, live, and play" relationships to reduce the distance and frequency of automotive trips. The master development plan provides land use locations and intensities, and the developer will be responsible for much of the infrastructure improvements necessary to accommodate the demand generated by the new uses. Scenic corridors and landscaped buffers provide appropriate transition to the surrounding area, and land for new municipal uses and parks will benefit the community.

STAFF  
RECOMMENDATION

**Recommended Approach:**

Staff recommends approval, subject to the attached stipulations.

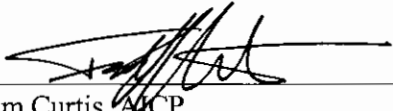
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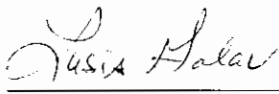
**Planning and Development Services Department**  
Current Planning Services

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**APPROVED BY**

  
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Tim Curtis, AICP  
Report Author

  
\_\_\_\_\_  
Lusia Galav, AICP  
Current Planning Director

**ATTACHMENTS**

1. Applicant's Narrative –Rezoning
- 1A. Applicant's Narrative – Use Permit
- 1B. Amended Development Standards
2. Context Aerial
- 2A. Aerial Close-Up
3. Land Use Map
4. Zoning Map
5. Stipulations
6. Additional Information
7. Traffic Impact Summary
8. Citizen Involvement
9. City Notification Map
10. Land Use Plan
11. Land Use Budget Summary
12. Building Height Plan

**Rezoning Request Narrative**  
for  
***Silverstone at Pinnacle Peak***  
**SEC Scottsdale Road & Pinnacle Peak Road**  
Revised 10-14-05

**City of Scottsdale**  
**Rezoning Case #177-PA-2005**

**I. Overview of Request**

RHVT Limited Partnership (“RHVT”) owns the approximate 160 acre property (the “Property”) located at the southeast corner of the intersection of Scottsdale Road and Pinnacle Peak Road. RHVT is proposing a master-planned project (the “Project”) to be named “Silverstone at Pinnacle Peak” (“Silverstone”). RHVT is hereby requesting to rezone the Property from its current (W-P) Western Theme Park District to (P-C) Planned Community District with underlying (C-2) Central Business District, (C-O) Commercial Office and (R-5) Multiple-Family Residential District uses and development standards.

RHVT proposes a master plan for the Property that includes a mix of uses integrated into a well designed blend of employment, office, retail and multigenerational residential uses. The proposed Project is based upon the opportunity for a live-work-play environment concept that provides a “sense of place” and encourages pedestrian activities and human interaction in a high quality of life atmosphere.

**II. Property History & Physical Characteristics**

The current use of the Property, a western theme park known as “Rawhide”, dates back to 1970. For thirty-five years Rawhide has entertained visitors using its faux Old West environment, with activities such as stagecoach rides, gunfights, trail rides and campfire-style cookouts. However, for several years it has also included activities that are not in keeping with its theme such as fireworks and car and motorcycle shows. It is reported that Rawhide saw as many as 800,000 visitors per year in its heyday. However, as homes and other development have neared Rawhide over its lifetime, maintaining this Old West theme has become increasingly difficult. This encroachment, combined with the Rawhide owner’s knowledge of the intense retail development planned just west of Scottsdale Road in Phoenix, supports their recent announcement to relocate Rawhide to a more secluded area on the Gila River Indian Reservation.

The Property is sparsely vegetated as the Rawhide operation uses over two-thirds of the Property, which includes the use of a substantial amount of the less disturbed desert-like areas for its trail system and campfire and cookout areas. The Property slopes gently (less than 3%) from northeast to southwest. What vegetation that does exist consists of typical desert plant materials typically found in this region.

**15-ZN-2005 &  
13-UP-2005**

### III. The Proposed Project - Silverstone At Pinnacle Peak

RHVT's proposal for Silverstone includes a mix of activities that provides an opportunity for a "live-work-play" environment. Uses proposed for Silverstone at Pinnacle Peak include neighborhood retail, municipal uses such as a library and fire station, office and multi-generational residential, with each of the various components within the Project appropriately sub-named (i.e. Silverstone Marketplace, Silverstone Commons). The master plan features a pedestrian pathway system including appropriately spaced shade structures to promote alternatives to driving; planned open spaces designed in park-like settings; and the creation of the Scenic Corridor along Scottsdale Road. A Master Circulation Plan provides inter-connectivity between the uses within the Project to reduce vehicular traffic distances and promote alternative modes of transportation. Project gateway entry features and various common building materials are also proposed to provide architectural an interaction between the various uses within the Project.

The Project team assembled by RHVT envisions creating a "sense of place" within the Project that encourages pedestrian activities and human interaction. RHVT believes Silverstone demonstrates that its uses are in context with its immediate surroundings, appropriate for the area, and that it will sustain desirability and stability in harmony with the character and quality of the Pinnacle Peak area.

### IV. Project Location, Surrounding Uses & Zoning

Silverstone is located at the southeast corner of the intersection of Scottsdale Road and Pinnacle Peak Road along the geographic north-south centerline of the City. It is essentially a one-half mile square tract of property, with prominent frontage on Scottsdale Road. This area of the City continues to enjoy the highest quality commercial and residential development in the metropolitan area.

Silverstone is surrounded by a wide variety of existing and approved uses.

Direction From Property	Uses	Zoning
North	Retail, Office	C-2, C-O
East	Retail, Office, Residential	C-1, C-O, R-4
South	Industrial, Commercial	C-3, C-2, I-1, S-S
West	Retail	C-2 (Phoenix)

It is important to note the existing industrial and heavy commercial uses directly south of the Property, and the "Big Box" retail planned west of the Property in the City of Phoenix. Accordingly, Silverstone was designed with the knowledge of the above by providing the proper transitioning of uses and adequate visual buffers. Also, it should be noted that, contrary to the perception of some of the public, only about 630 feet of the Property abuts the homes that are located at the southeast corner of the Property across Miller Road. Otherwise, the Project is not adjacent to any existing homes.

This region of the Valley has primarily experienced residential development since the late 1970's, with only sparse development north of the Central Arizona Project ("CAP") canal until the 1980's, when development began to include several residential subdivisions. In the 1990's the area saw the beginning of several large master planned communities including Grayhawk, McDowell Mountain Ranch and DC Ranch in Scottsdale; and Tatum Ranch and Desert Ridge in Phoenix. This new residential growth has triggered the need for new commercial development to service the robust residential growth. Intense commercial development has occurred along Scottsdale Road just south of the Loop 101. The Loop 101 provides a much needed transportation link by providing access to more intense development along Scottsdale Road without the need to enter residential neighborhoods. With adequate upgrades, Scottsdale Road can continue to be an excellent artery to the 101 with minimal impact on residential areas.

#### V. Neighborhood & School System Impacts

The basis for the placement of uses within the Project was determined by paying careful attention to its immediate surroundings. For example, as mentioned in Section IV, notwithstanding the small amount of homes that are contiguous with the Property (east of Miller Road), an enhanced landscape buffer is proposed where those homes are contiguous to the Project. In all instances, no uses within the Project create a negative or otherwise undesirable land use impact on land uses that border the Project (across each street).

Silverstone is located within the Paradise Valley Unified School District (the "School District"). A maximum of 976 dwelling units are proposed for Silverstone. However, included in those 976 units is a 270 unit senior living project that would reduce the overall impact on the School District by over 28%. Notwithstanding the senior living component, given the anticipated buyer-profile of the residential product mix planned within the Project, it is anticipated that student generation rates will be low and will not adversely impact the School District. Silverstone will significantly increase assessed property valuations within the School District. Additionally, it is important to note that in general traffic (trips) generated by the senior living use is reduced due to the lessened travel needs of the senior occupants. Importantly, the planned intergenerational village concept will be a boon for both the nearby elementary school and the proposed senior living community with cross-generational educational and volunteer opportunities.

#### VI. Neighborhood Involvement & Community Outreach

In connection with the associated application to amend the General Plan, extensive outreach was conducted as part of RHVT's rezoning pre-application efforts. A neighborhood involvement and community outreach effort is underway to present the Project to interested parties. RHVT and its entire Project team is sensitive to the importance of neighborhood involvement and creating a relationship with property owners, residents, business owners, homeowner's associations and other interested parties. Communication with these parties is ongoing throughout the process using an "open door" policy. Efforts to reach all stakeholders (using verbal, written, electronic and door-to-door contact methods) began prior to the application filings and will continue throughout the entire process.

Detailed contacts included, but were not limited to representatives of the following stakeholders:

Coalition of Pinnacle Peak  
Greater Pinnacle Peak Homeowners' Association  
Bella Vista Homeowners' Association  
Los Portones Homeowners' Association  
Village at Sonoran Hills Homeowners' Association  
The Premiere at Pinnacle Peak Homeowners' Association  
Alta Sonora Homeowners' Association  
La Vista Homeowners' Association  
Ladera Homeowners' Association  
Los Gatos Homeowners' Association  
Pinnacle Paradise Homeowners' Association  
La Vida Homeowners' Association  
Pinnacle Peak Country Club Homeowners' Association  
Pinnacle Peak Estates III Homeowners' Association  
Pinnacle Peak Villas Homeowners' Association  
Pinnacle Reserve Homeowners' Association  
Sonoran Hills Homeowners' Association  
Talara Homeowners' Association  
Tierra Bella Homeowners' Association  
Grayhawk Community Association  
Paradise Valley School District  
Desert Shadows Middle School  
Friend of the Scenic Corridor  
Scottsdale Healthcare  
Giant Industries, Inc.

Additionally, in relation to the proposed General Plan Amendment and Rezoning application, significant outreach was conducted to homeowners and property owners within one-mile of the boundaries of the Property. These same surrounding property owners received information via first class mail regarding the General Plan and rezoning applications. The mail pieces contained detailed information regarding the Project; included notice of an open house held on August 10, 2005; and contact details to obtain additional information, updates and feedback. We have continued to meet with interested parties about the project; have scheduled numerous meetings with homeowners' associations in the area; and will continue to respond to phone calls for additional information.

RHVT and its Project team recognize that a vital component of the outreach process is to allow people to express their thoughts and that each and every person must receive a response in a professional and timely manner. The entire Project team realizes the importance of this process and remains committed to communication and outreach for the Project.

## VII. Public Transportation Systems

Public transportation systems are critical to the Project as well as the surrounding area. New development will necessitate the review of the existing roadway system. Improvements to the existing public roadways are anticipated. The Property is bound on all sides by streets classified on the City's Street Classification Map as follows:

<u>Street</u>	<u>Classification</u>
Scottsdale Road	Major Arterial
Pinnacle Peak Road	Minor Arterial
Miller Road	Minor Arterial
Williams Road	Major Collector

The Loop 101 is located just 2¼ miles south of the Property.

A two-part Traffic Impact and Mitigation Analysis is being prepared to assess the impact of the proposed Project and make recommendations for street improvements, access points and driveways, traffic signal warrants and transit planning. A preliminary trip generation analysis has determined that more than half of the trips generated by the Project will originate from the south, (primarily traveling to the Loop 101 using Scottsdale Road) while approximately one-third of the trips will be generated from the west (Phoenix) using Pinnacle Peak Road. Given the regional land use pattern of the greater Pinnacle Peak sub-area, this is to be expected. Accordingly, higher trip generating uses like the commercial office, retail and municipal components of the Project have been proposed on the westernmost side of the Project to encourage the use of Scottsdale Road and the Loop 101. The mixed use and multigenerational nature of the Project should reduce the impact on the street system by providing goods and services within the Project to serve its residents and visitors, where they can use alternate modes of transportation (walk or bike, for example).

## VIII. Economic & Fiscal Impact

Silverstone, as designed, will generate significant revenues to the City through recurring fiscal revenue sources such as taxes on real and personal property and privilege taxes on retail sales. Additionally, the Project will provide quality employment (both direct and indirect) through mainly its retail and office components. Additionally, the School District will benefit from increased assessed valuations from the Property.

## IX. Rawhide Wash

While named after Rawhide, only a small portion of the regional "Rawhide Wash" in relation to its overall size traverses the Property. Rawhide Wash consists of a regional stormwater drainage area that impacts several thousand acres of property in Scottsdale and Phoenix. In its present state, Rawhide Wash is not a fully controlled (channelized) wash; instead it consists of a large alluvial fan-type flow pattern (meaning shallow depths that tend to spread instead of rising) with only very short sections believed to be under proper control. This existing condition places businesses and residences in harms-way and within the 100 year floodplain, meaning they must build

their structures above established floodplain levels and obtain floodplain insurance. Also, during rainfall, portions of Pinnacle Peak Road and Scottsdale Road become inundated by rising sheetflows, with the lower points along those roadways experiencing significant flooding; leaving debris in the roads once the sheetflows dissipate.

RHVT's proposed master plan design includes consideration given to the best possible design for its small segment of Rawhide Wash based upon a channelization concept similar to natural flow patterns. The new channel as proposed can serve as man-made extension of the desert similar to the re-vegetated Scenic Corridor. It will add Open Space where none exists today and provide for a park-like system of public trails and paths. While this method also appears to be the preferred solution to flooding in Scottsdale and Pinnacle Peak Roads, it is realized there are downstream implications that involve other stakeholders. The City of Phoenix has an interest in the flows of Rawhide Wash as it relates to property west of Scottsdale Road. It should be noted that any work in connection with Rawhide Wash is considered part of a "regional solution", requiring the cooperation of the cities of Scottsdale and Phoenix, as well as the Arizona State Land Department.

#### X. Municipal Site

In order to create a more vibrant neighborhood that encourages human interaction, and recognizing the potential need for a public library and other potential municipal uses in the general area, RHVT has agreed to provide a 3.24 acre site for a library and 1.24 acres for a fire station. Permitted municipal uses and the City's ability to use this site for such uses are set forth in the P-C District documents filed as part of this application. RHVT believes a public library can play an integral role in the Project, serving as a very useful amenity.

#### XI. Market Feasibility

RHVT engaged Cornerstone Consulting Company ("Cornerstone"), Cushman Wakefield Real Estate ("Cushman") and Eisenberg Company ("Eisenberg") to perform a market assessment and to conduct the appropriate research to confirm whether or not the Project's proposed product types would be successful within the proposed Project. Cornerstone conducted detailed research regarding the retail and residential components of the Project. Cushman investigated the office component of the Project. Eisenberg provided additional research on the retail component of the Project. Eisenberg's, Cornerstone's and Cushman's research indicated that Silverstone offers a strong development opportunity for all the proposed uses within the Project that is appropriate for this location within the North Scottsdale submarket.

#### XII. General Plan Conformity

A companion Major General Plan Amendment application has been filed in conjunction with this application. An exhaustive review of the appropriateness of changing the Property's current land use designation from Cultural/Institutional to Mixed-Use is contained therein.



It is generally recognized by the City that the existing General Plan and zoning designations were placed retroactively on the Property as the Rawhide western theme park use pre-dated the City's planning, and was annexed into the City from the County.

Given the size, location and relationship of the Property in the region, coupled with the City's planning policies and guidelines governing the area, the Mixed-Use land use designation is the most appropriate, as it implements many of the values, visions, goals and policies contained in the General Plan. Correspondingly, the P-C district and the underlying zoning districts contemplated in this request best suit redevelopment of the Property by providing uses and densities appropriate for the area. Silverstone will create a sense of place where the concept of "live-work-play" can become a reality. The goals will not only be realized, they will be exceeded by providing the high quality of life only a Scottsdale address can offer.

In a letter from the City dated June 3, 2005, Project Coordination Manager Tim Curtis confirmed that the proposed change in the General Plan land use designation is appropriate. In addition, at the September 28, 2005 Planning Commission hearing, the General Plan change request received a unanimous (7-0) recommendation for approval.

### XIII. Project Justification

The (P-C) Planned Community District zoning district is intended to guide development and to ensure the entire Project's overall cohesiveness according to a specific development plan versus an undesirable development plan consisting of fragmented free-standing uses that provide no sense of community. The P-C district proposed for Silverstone enhances the physical, social and economic value of the area by providing appropriate land uses in accordance with modern land planning principles and development techniques.

In terms of the land area of the Project, this request is the smallest P-C district permitted by City Ordinance (160 acres). Customarily, P-C districts include greater land area and may include a broader diversity of land uses. Like the "Stacked 40's" project previously approved by the City, Silverstone integrates employment, residential and commercial uses. However, Silverstone does so in a much less-intense environment. Additionally, the residential senior living component provides a multi-generational experience not otherwise deliberately planned in the City.

The proposed rezoning will change the existing land use designation from (W-P) Western Theme Park to (P-C) Planned Community District with underlying (C-2) Central Business District, (C-O) Commercial Office and (R-5) Multiple-Family Residential District development standards and uses. This change together with the proposed amended development standards within each relative zoning district is appropriate for the Property given the following:

1. The uses are consistent and compatible with adjacent and surrounding land uses.

2. The request conforms to the City of Scottsdale General Plan [conformance assumes approval of current application to amend the General Plan].
3. The Project demonstrates that its uses are appropriate and in context with the area, and that it will sustain desirability and stability in harmony with the character of the surrounding area.
4. The proposed Project will serve to help preserve meaningful Open Space, implementation of the Scenic Corridor and provide a regional drainage solution using the Rawhide Wash alignment.
5. The uses provide quality employment, economic and social benefit to the City.

#### XIV. Summary

This request to rezone the Property from (W-P) Western Theme Park to (P-C) Planned Community District with underlying (C-2) Central Business District, (C-O) Commercial Office and (R-5) Multiple-Family Residential District and amended development standards and uses to facilitate the development of a mixed use community is appropriate and merits strong support from the City of Scottsdale. The opportunity to master plan approximately 160 gross acres of property within the City ensures that adequate infrastructure, design character, land uses and amenities ultimately occupy this prominent intersection of Scottsdale and Pinnacle Peak Roads. Uses proposed for Silverstone at Pinnacle Peak include neighborhood retail, office and multi-generational residential. RHVT's proposal for Silverstone includes a mix of activities (uses) that promotes the opportunity for a true "live-work-play" intergenerational environment. The master plan features pedestrian linkages using paths and trails with spaced shade structures to promote alternatives to driving; planned open spaces designed in a park-like setting; and creation of the Scenic Corridor along the Project's Scottsdale Road frontage. Silverstone's goal is to create a "sense of place" that encourages pedestrian activities and human interaction.

The Project master plan provides harmonious buffers to the small amount of existing nearby residential, and provides the proper co-existence in context to all other uses contiguous with the Property. The intersection of Scottsdale and Pinnacle Peak Roads is anticipated by the City to be an Activity Center with commercial land uses on all four corners of that intersection. The residential density proposed in this request is less than the maximum allowed by Ordinance and is appropriate given the commercial and employment land uses concentrated at those intersections. Based on the mix of land uses existing or anticipated in the vicinity of the Property, it is incumbent that the residential component of the Project be appropriately planned and developed to ensure a sense of place and a high quality of life.

Given the location of the Property within the lower desert land form but not within the ESL overlay, careful composition of design, architecture, landscaping and site planning is intended to announce the gateway to Pinnacle Peak while respecting and integrating the natural desert environment and character into its fabric.

In conclusion, RHVT believes Silverstone at Pinnacle Peak demonstrates that the proposed uses for the Property are appropriate for the area, and that it will sustain desirability and stability in harmony with the character of the surrounding area.

# WOOD/PATEL



CIVIL ENGINEERS • HYDROLOGISTS • LAND SURVEYORS • CONSTRUCTION MANAGERS

NOV 10 2005

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Michael T. Young, P.E.  
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November 8, 2005

Mr. Mike Pacheco  
RHVT Limited Partnership  
1550 East Missouri Avenue  
Suite 300  
Phoenix, AZ 85011

Phone: (602) 230-1051  
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Re: **Silverstone**  
Regional Drainage Solution Statement  
WP#042309.02

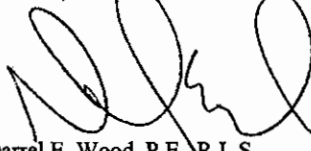
Dear Mr. Pacheco:

This letter serves to clarify the current goal of Silverstone with regard to regional drainage solutions for Rawhide Wash.

As proposed, Silverstone at Pinnacle Peak ("Silverstone") includes participation by the developer in a *regional drainage solution* for Rawhide Wash as it traverses the northwestern portion of the project. Additionally, in order for the Silverstone development to occur, the scope of this project would also require that the developer improve Pinnacle Peak Road including a bridge-type structure to accommodate a 100-year dry crossing of Rawhide Wash under a newly constructed Pinnacle Peak Road. The City's and developer's goal with this segment of Rawhide Wash is to solve significant regional flooding problems that occur on Scottsdale and Pinnacle Peak Roads, as well as to serve as a public amenity, with passive recreational uses and an extension of the contiguous 100 foot wide Scenic Corridor that runs along Scottsdale Road. This can be achieved with a "natural" (instead of a concrete lined channel) drainage corridor of approximately 330 feet in width. Furthermore, this drainage corridor will be "benched", meaning it will contain a low flow channel within the main channel to convey rainfall events that occur more regularly. This tried and true approach is beneficial because it only exposes a small portion of the drainage corridor to routine flood events. The overall drainage corridor would be designed to the City's engineering standards to convey Rawhide Wash's estimated 100-year rainfall/runoff event of 10,990 cubic feet per second. Landscaping placed within the wash corridor would consist of plant materials that are native to the Sonoran Desert, with the actual placement of the plantings designed to resist or withstand rainfall events. Based on our extensive experience in desert wash design, particularly in north Scottsdale, we are confident that the proposed Silverstone Wash improvements will be an excellent amenity that will not "wash away with the first rains".

Sincerely,

WOOD, PATEL & ASSOCIATES, INC.

  
Darrel E. Wood, P.E., R.L.S.  
Principal



DEW/ac

Y:\WP\General Correspondence\042309.02 Silverstone\_Regional Drainage Statement.doc

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Silverstone  
Residential Health Care Facility  
Case No. 13-UP-2005

Use Permit Narrative  
*Updated 10/17/05*

The (R-5) Multiple-Family Residential District is intended to allow multiple-family development in a residential character that promotes a high-quality environment through property development standards that are aesthetically-oriented. Uses permitted by conditional use permit in the R-5 district include but are not limited to, public buildings, private schools, hotels, motels, orphanages, day care centers and residential health care facilities.

This request is for a conditional use permit to allow development of a residential health care facility located in the Silverstone community. Silverstone, a master-planned, multi-generational community, is the ideal environment for a residential health care facility based on the four (4) standards enumerated by the Ordinance in determining the appropriateness of a conditional use. Specifically, the standards for a residential health care are:

1. Article I, Sec. 1.100 – the promotion and protection of the public health, safety and welfare of the citizens of Scottsdale and to provide the social, physical and economic advantages from the comprehensive and orderly use of land resources.
2. Article I, Sec. 1.401(A) – that the granting of such conditional use permit not be *materially* detrimental to the public health, safety and welfare considering factors including but not limited to:
  - Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
  - Impact on the surrounding areas resulting from an unusual volume or character of traffic.
3. Article I, Sec. 1.401(B) – that the characteristics of the proposed conditional use are *reasonably* compatible with the types of uses in the surrounding area.

**15-ZN-2005 &  
13-UP-2005**

4. Article I, Sec. 1.401(O) – that the site development conditions of this section be complied with.

The proposed residential health care facility in Silverstone is consistent with maintaining the public health, safety and welfare. A cursory review of the City's records regarding use permit revocation actions and calls for emergency services indicate that residential health care facilities are one of the safest and community compatible-conditional uses. The social, physical and economic advantages to the City and its citizenry associated with the residential health care facility are myriad. A phenomenon associated with caring for an aging population is known as Naturally Occurring Retirement Communities (NORC). In the context of the Silverstone development, the proposed residential health care facility provides the resources and support needed to "age in place"; the social benefit of which is self evident.

The proposed facility is residential in nature. Therefore, the damage or nuisance arising from smoke, odor, dust, vibration or illumination is anticipated to be imperceptible if not non-existent based on a review of the Classic Residence by Hyatt and The Plaza Companies at Grayhawk. The Silverstone residential health care facility is currently planned to be developed by The Plaza Companies, the same company that developed the Classic Residence at Grayhawk at Grayhawk. No manufacturing, fabricating, incinerating or other activities occur will on the property. The only reasonably anticipated smoke from the use would be the same as any other use in R-5, such as smoke from a bar-b-que grill. As a mature, residential community, factors like noise from amplified music and vibration from automobile repair (both common in multifamily developments) will actually be less prevalent than would be reasonably expected in uses permitted by right in the R-5 zoning district.

It is not surprising that a residential health care facility generates less traffic than a comparable R-5 multi family development of equal density. At the same time, attentive care provided at the facility actually reduces emergency services calls as compared to other types of development permitted by right in the R-5 district.

The facility has been specifically located on the southern edge of the Silverstone project in the interior of the development and located across Williams Road (a Major Collector) from existing Highway Commercial (C-

3) and Industrial Park (I-1) uses – the proposed conditional use is compatible with existing development.

Having satisfied the Ordinance criteria for a conditional uses in general, this request further complies with the specific site development standards enumerated in Article I, Sec. 1.401 (O). The gross lot area shall be greater than one (1) acre. The total number of beds will not exceed 80 per gross acre of land. A minimum of twenty-four (24) percent of the net lot area will be provided as meaningful open space. The site plan shall be designed with both underground parking for staff, visitors and residences and surface parking to provide convenient pedestrian access.

In conclusion, based on the four (4) standards on which the City relies to judge the appropriateness of residential health care facilities: public health and social benefit; the absence of materially detrimental factors like noise, smoke, odor, dust, etc.; reasonable compatibility of the use with the surrounding properties; and compliance with site development standards, the proposed residential health care facility is an appropriate land use.

## Amended Development Standards

15-ZN-2005

Revisions are shown in **BOLD CAPS** and ~~strikethrough~~.

### Sec. 5.2100. (P-C) PLANNED COMMUNITY DISTRICT.\*

#### Sec. 5.2101. Purpose.

This is a zoning district that may be developed only in accordance with a specific development plan. The approved development plan is an integral part of this zoning district and all development shall comply with said plan. The planned community district is designed and intended to enable and encourage the development of large tracts of land which are under unified ownership or control, or lands which by reason of existing or planned land uses are appropriate for development under this section, so as to achieve land development patterns which will maintain and enhance the physical, social and economic values of an area.

To this end, there may be provided within such areas a combination of land uses, including a variety of residential types, commercial, industrial, public and semi-public areas, arranged and designed in accordance with modern land planning principles and development techniques; and in such a manner as to be properly related to each other, the surrounding community, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools and utilities.

The planned community district and procedure are further established to provide a land developer with reasonable assurance that specific uses proposed from time to time, if in accordance with an approved development plan, will be acceptable to the city; and to provide the City Planning Commission and the City Council with a long-term proposal for the development of a given area.

(Ord. No. 3258, § 1, 10-5-99)

#### Sec. 5.2102. General provisions.

- A. *Qualifications.* P-C districts may be established on parcels of land which, because of their unified ownership or control, size, topography, proximity to large public facilities, or exceptional or unusual locational advantages, are suitable for planned development in a manner consistent with the purposes of this section.
- B. *Minimum property size.* No P-C district shall be established on any parcel of less than ten (10) acres of gross land area in designated redevelopment areas; and on any other parcel outside of any designated redevelopment areas of less than one hundred sixty (160) acres of gross land area.
- C. *Property development standards.* All land uses in a P-C district shall conform to the property development standards of the comparable zoning district. Modification of the comparable district's standards may be allowed as provided in the modification procedure below. The planning director shall determine, primarily on the basis of proposed use and density, which of the districts of this ordinance is most closely comparable to the proposed development.

*Property development standards modification procedure.* Application shall be made and the procedure followed as provided in section 1.300, development applications; with the addition that an application for proposed amendments to development standards in a designated redevelopment area shall first be heard by the development review boards, section 1.900. The application shall be accompanied by written terminology, graphic material, and will illustrate the conditions that the modified standards will produce, so as to enable the Planning Commission and the City Council to make the determination that the modification



will produce a living environment, landscape quality and life-style superior to that produced by existing standards.

- D. *Approvals required.* No structure or building shall be built or remodeled upon land in the P-C district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof except residential development in a P-C district which is keyed to single-family residential (R-1) zoning districts shall not be subject to Development Review [Board] approval.
- E. All provisions of this ordinance shall apply to development in the P-C district except as allowed in the immediately preceding paragraphs C. and D. Ord. No. 3258, § 1, 10-5-99)

#### Sec. 5.2103. Development plan.

The rezoning application shall be accompanied by a development plan which shall consist of:

- A. A map or maps drawn to a suitable scale, showing at least the following:
  - 1. The boundary of the proposed district.
  - 2. The topographic character of the land.
  - 3. Drainage accommodations.
  - 4. Accommodations for all utilities.
  - 5. Any major regrading intended.
  - 6. The proposed uses of the land, keyed to the comparable existing zoning districts.
  - 7. The approximate location of all public streets.
  - 8. Location of public uses proposed, such as schools, parks, playgrounds, trails or other recreational facilities.
  - 9. The approximate location and configuration of different types or densities of dwelling units.

When appropriate, said plan shall include recommendations as to desirable or compatible uses in the areas surrounding said development.

Within the P-C district development units may be established of any size whatever but shall be logical in size and shape and shall function by themselves and in relationship to other development units within the district or adjacent property.
- B. A development program including:
  - (1) A legal description of the district boundary.
  - (2) Size of the area.
  - (3) The overall density proposed.
  - (4) The nature of development proposed.
  - (5) The disposition of lands proposed for public facilities.
  - (6) The anticipated timing for each unit of the district proposed to be developed separately.
  - (7) The delineation of development units which shall be integral units planned for development at different stages.
  - (8) The approximate size, in acres, of each development unit.
- C. All proposed restrictive covenants.
- D. All conditions agreed to by the applicant which are not included in the written documentation required under subsections A., B. and C. of this section are part of the development plan.

- E. An approved development plan shall be kept on file in the Planning and Development Department.  
(Ord. No. 3258, § 1, 10-5-99)

Sec. 5.2104. Additional material.

Additional material and information shall be provided for specific types of uses as follows:

- A. Wherever residential development is proposed within a P-C district, the development plan shall contain at least the following information:
1. The approximate number of dwelling units proposed by type of dwelling and the density, i.e., the number of dwelling units proposed per gross acre for each type of use.
  2. The standards of height, open space, building coverage, yard area, parking facilities and the kinds of street and land improvements proposed.
- B. For P-C districts or sections thereof for which commercial development is proposed, the development plan shall contain at least the following information:
1. The approximate retail sales floor area and total area proposed for commercial development.
  2. The types of uses proposed to be included in the development, which uses to be consistent with comparable zoning district.
  3. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading signs, and nuisance controls intended for the development.
- C. For P-C districts or sections thereof for which industrial development is proposed, the development plan shall contain at least the following information:
1. The approximate total area proposed for such use.
  2. The types of uses proposed to be included in the development. (Generally those industrial, office, laboratory and manufacturing uses shall be allowed which do not create any danger to health and safety in surrounding areas and which do not create any offensive noise, vibration, smoke, dust, odor, heat or glare and which by reason of high value in relation to size and weight of merchandise received and shipped, generate a minimum of truck traffic.)
  3. The anticipated employment in the entire development and in each major section thereof. This may be stated as a range.
  4. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, signs, and nuisance controls intended for the development.
- D. For P-C districts or units thereof containing institutional, recreational or other public or quasi-public development, the development plan shall contain the following information:
1. General types of uses proposed in the entire development and each major section thereof.
  2. Significant applicable information with respect to enrollment, residence employment, attendance, or other social or economic characteristics of development.

3. The standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, and signs intended for the development.

(Ord. No. 3258, § 1, 10-5-99)

Sec. 5.2105. Findings required.

Before approval or modified approval of an application for a proposed P-C district, the Planning Commission and the City Council must find:

- A. That the development proposed is in substantial harmony with the General Plan of the City of Scottsdale, and can be coordinated with existing and planned development of surrounding areas.
- B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.
- C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:
  1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgment of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.
  2. In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such as to create an industrial environment of sustained desirability and stability.
  3. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.
- ~~D. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the district.~~
  - ~~(1) Location: All proposed private and charter schools shall be located a minimum of one thousand (1,000) feet from any adult use, bar, cocktail lounge, liquor store, turkish bath, or pool hall.~~
  - ~~(2) Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty three thousand (43,000) square feet (net).~~
  - ~~(3) There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.~~
  - ~~(4) Open space: Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied~~

~~towards the overall open space requirements subject to compliance with NAOS standards.~~

- ~~(5) Parking: Parking shall observe the front yard setbacks of the district for all frontages. One third ( 1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.~~
- ~~(6) Outdoor recreation area: All outdoor playgrounds and recreation areas shall be entirely enclosed by a minimum three-foot high fence and/or wall and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district and screened by a minimum six-foot high wall~~
- ~~(7) Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.~~
- ~~(8) Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.~~

~~(Ord. No. 3258, § 1, 10-5-99)~~

Revisions are shown in **BOLD CAPS** and ~~striketrough~~.

Sec. 5.1000. (R-5) MULTIPLE-FAMILY RESIDENTIAL DISTRICT.

Sec. 5.1001. Purpose.

This district is intended to provide for development of multiple-family residential and allows a high density of population with a proportional increase in amenities as the density rises. The district is basically residential in character and promotes a high quality environment through aesthetically oriented property development standards.

Sec. 5.1002. Approvals required.

No structure or building shall be built or remodeled upon land in the R-5 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1003. Use regulations.

- A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
1. Accessory buildings; swimming pool, private; home occupations; and other accessory uses.
  2. Boardinghouse or lodging house.
  3. Day care home.
  4. Dwelling, single-family detached.
  5. Dwelling, multiple family.
  6. Municipal uses, **AND MUNICIPAL BUILDINGS. (MUNICIPAL USES AND MUNICIPAL BUILDINGS, (EXCEPT FOR UTILITY BUILDINGS, STRUCTURES OR APPURTENANCES THERETO FOR PUBLIC UTILITY USES, AND STAND ALONE PARKING LOTS,) SHALL BE EXCEPT FROM SECTION 1.500, SECTION 1.501, AND SECTION 1.502.)**
  - 6.1. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
  - ~~7. School: Public, elementary and high.~~
  - 8-7.** Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of construction work.
  - 9-8.** Temporary sales office buildings and model homes.
  - ~~10-9~~ **9** Churches and places of worship.
- C. *Uses permitted by conditional use permit.*
1. Commercial and/or ham transmitting or receiving radio and television antennas in excess of seventy (70) feet.
  2. Recreational uses (see section 1.403 for specific uses and development criteria for each).
  3. Community buildings or recreational fields not publicly owned. Convent.
  4. Convent.
  5. Day care center (see section 1.403 for criteria).

6. Golf course (except miniature course or practice driving tee operated for commercial purposes), including clubhouse and service facilities which are intended to primarily serve golf course uses and are so located within the golf course that the development is self-contained and would provide whatever degree of buffer is necessary to adjacent property.
7. Hotel, motel, and timeshare project of not less than ten (10) units and commercial uses appurtenant thereto, such as restaurant, cocktail lounges, gift shops, newsstand, smoke shops, barbershops, beauty parlors and small retail shops, provided the entrance of such use shall be from the interior of the building, lobby, arcade or interior patio.
- ~~8. Orphanage.~~
- ~~9-8.~~ Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.
- ~~10. Plant nursery; provided, however, that all materials (other than plant materials) shall be screened from view by a solid fence or wall at least six (6) feet in height, and further that a completely enclosed building having a minimum floor area of five hundred (500) square feet shall be provided.~~
- ~~1110.~~ Private club, ~~fraternity, sorority~~ and lodges.
- ~~1211.~~ Private lake, semi-public lake, swimming pools, tennis courts.
- ~~13. Private or charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the district.~~
  - ~~a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).~~
  - ~~b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to two-tenths (0.2) multiplied by the net lot area.~~
  - ~~c. There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.~~
  - ~~d. Open space: In no case shall the open space be less than twenty-four (24) percent of the total lot area for zero (0) to twenty (20) feet of total building height, plus four-tenths (0.4) percent of the total site for each foot of height above twenty (20) feet. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.~~
  - ~~e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified by the Scottsdale General Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts.~~
  - ~~f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.~~
  - ~~g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review~~

~~Board, on the side and rear property lines adjacent to residential districts.~~

- ~~h. Access: All private and charter schools shall have frontage on a street classified by the Scottsdale General Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop-off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.~~
- ~~i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. No playground or outdoor activity area shall be located within fifty (50) feet of any R1 district or within twenty-five (25) feet of any R2, R3, R4, R4-R, R5 or M-H district. All playgrounds and outdoor activity areas shall be screened from any residential district by a minimum six-foot high screen wall.~~
- ~~j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.~~

~~1412.~~ Public buildings other than hospitals.

~~1513.~~ Public utility buildings, structures or appurtenances thereto for public service uses.

~~1614.~~ Residential health care facility (see section 1.403 for criteria).

#### Sec. 5.1004. Property development standards.

The following property development standards shall apply to all land and buildings in the R-5 district.

##### A. *Minimum property size.*

1. Each parcel or lot within a development shall be a minimum net lot size of thirty-five thousand (35,000) square feet.
2. If an R-5 zoned parcel of land or a lot of record in separate ownership has an area of less than thirty-five thousand (35,000) square feet and has been lawfully established and recorded prior to the adoption of this requirement on October 2, 1979, such lot may be used for any purpose permitted in this section, subject to all other requirements of this ordinance.

##### B. *Open space requirements*

1. Main land uses that are density-based shall provide open space in the amounts specified in the density chart--Section 5.1004.D, in the following proportions:
  - a. A minimum of ~~one-half~~ **ONE-THIRD** of the open space requirement shall be incorporated as frontage open space **ADJACENT TO THE INTERNAL STREETS (INTERNAL STREETS SHALL NOT INCLUDE THE WILLIAMS ROAD, SCOTTSDALE ROAD, MILLER ROAD AND PINNACLE PEAK ROAD ALIGNMENTS)** to provide a setting for the building, visual continuity within the community, and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one (1) foot of ~~public~~-street frontage and shall not be less than twenty (20) square feet per one (1) foot of public street frontage.

- b. A private outdoor living space shall be provided adjoining each dwelling unit equal to a minimum of ten (10) percent of the gross size of the dwelling unit, except that dwelling units above the first story shall provide such space equal to a minimum of five (5) percent of the gross size of the dwelling unit.

~~c. The remainder of the required open space shall be provided in common open space.~~

**C. THE REMAINDER OF THE REQUIRED OPEN SPACE SHALL BE PROVIDED AS COMMON OPEN SPACE WITH IN A PROPERTY, OR IT MAY BE DISTRIBUTED AMONG ALL PROPERTIES WITHIN THE PLANNED COMMUNITY DISTRICT (PCD) THROUGH AN OPEN SPACE PLAN APPROVED BY THE DEVELOPMENT REVIEW BOARD.**

2. Main land uses that are not density-based shall provide a minimum of twenty-four (24) percent of the net lot area in open space, a minimum of ~~one-half~~ **ONE-THIRD** of which shall be in frontage open space **ADJACENT TO THE INTERNAL STREETS (INTERNAL STREETS SHALL NOT INCLUDE THE WILLIAMS ROAD, SCOTTSDALE ROAD, MILLER ROAD AND PINNACLE PEAK ROAD ALIGNMENTS). THE REMAINDER OF THE REQUIRED OPEN SPACE SHALL BE PROVIDED AS COMMON OPEN SPACE WITH IN A PROPERTY, OR IT MAY BE DISTRIBUTED AMONG ALL PROPERTIES WITHIN THE PLANNED COMMUNITY DISTRICT (PCD) THROUGH AN OPEN SPACE PLAN APPROVED BY THE DEVELOPMENT REVIEW BOARD.**
3. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.

**C. Building height.**

1. ~~No building shall exceed thirty-six (36) feet in height~~ **THE MAXIMUM BUILDING HEIGHT OF ANY BUILDING SHALL COMPLY WITH THE BUILDING HEIGHT LOCATIONS SHOWN ON THE ATTACHED BUILDING HEIGHT PLAN**, except as otherwise provided in article VII.
2. Building height shall not exceed one (1) story within fifty (50) feet of any R-1, R-2, R-3, R-4, R-4R or M-H district boundary line.

**D. Density requirements.** Compliance with the standards under columns 3 and 4 determine allowable density for dwelling and guest units.

TABLE INSET:

ALLOWABLE DENSITY		STANDARDS	
1	2	3	4
Dwelling Units Per Acre (and corresponding gross land area per unit requirement)	Timeshare or Guest Units Per Acre (and corresponding gross land area per unit requirement)	Minimum Percentage of Net Lot Area to be maintained in Open Space	Minimum Percentage of the Tree Requirement to be provided in Mature Trees



17 (2562) or less	24 (1816) or less	22	40
18 (2422)	25.5 (1708)	25	50
19 (2292)	27 (1613)	28	60
20 (2180)	28.5 (1528)	31	70
21 (2074)	30 (1452)	34	80
22 (1980)	31.5 (1382)	37	90
23 (1890)	33 (1320)	40	100

E. *Building setback.*

1. Wherever an R-5 development abuts an R-1, R-2, R-3, R-4, R-4R or M-H district or an alley abutting any of those districts, a yard of not less than fifteen (15) feet shall be maintained.
2. Wherever an R-5 development abuts any district other than R-1, R-2, R-3, R-4, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review Board or City Council if the existing or future development of the area around the site warrants such larger yards.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and a main building or between two (2) main buildings, except that an accessory building with two (2) or more open sides, one of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open spaces, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. **WALLS, AND FENCES SHALL NOT BE PERMITTED WITHIN THE SCOTTSDALE ROAD SCENIC CORRIDOR, WITHIN THE LANDSCAPE BUFFERS ADJACENT WILLIAMS ROAD, MILLER ROAD AND PINNACLE PEAK ROAD, OR WITHIN THE REQUIRED FRONT OPEN SPACE ADJACENT TO THE INTERNAL STREETS.**
- ~~2-3.~~ All parking areas adjacent to a public street shall be screened with a wall to a height of three (3) feet above the parking surface.
- ~~3-4.~~ All mechanical structures, and appurtenances shall be screened as approved by the Development Review Board.

~~4-5~~. All storage and refuse areas shall be screened as determined by Development Review [Board].

- H. Access. All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved by the Development Review Board.

Sec. 5.1005. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.1006. Signs.

The provisions of article VIII shall apply.

Revisions are shown in **BOLD CAPS** and ~~strikethrough~~.

Sec. 5.1400. (C-2) CENTRAL BUSINESS DISTRICT.

Sec. 5.1401. Purpose.

This district is intended to permit all uses permitted in the (C-1) neighborhood commercial district, plus commercial activities designed to serve the community. This district includes uses usually associated with the central business district and shopping facilities which are not ordinarily compatible with residential development.

Sec. 5.1402. Approvals required.

No structure or building shall be built or remodeled upon land in the C-2 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.1403. Use regulations.

- A. *Uses permitted.* Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
1. Business and professional services.
    - a. Business and professional offices.
    - b. Business schools.
    - c. Hospital for animals including boarding and lodging provided that there are no open kennels maintained and provided all activities will be conducted in soundproof buildings.
    - d. Medical or dental offices including laboratory.
    - e. Museum.
    - f. Optician.
    - g. Municipal uses.
    - ~~h. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the district.~~
      - ~~(1) Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.~~
      - ~~(2) Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).~~
      - ~~(3) There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.~~
      - ~~(4) Open space: Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied towards the overall open space requirement subject to compliance with NAOS standards.~~
      - ~~(5) Parking: Parking shall observe the front yard setbacks of the district for all frontages. One-third ( 1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.~~

- ~~(6) Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district and screened by a minimum six-foot high wall.~~
    - ~~(7) Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.~~
    - ~~(8) Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.~~
    - ~~(9) Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.~~
  - i. Studio for professional work or teaching of any form of commercial or fine arts.
- 2. Residential.
  - a. Dwelling units physically integrated with commercial establishments ~~(limited to one (1) dwelling unit for each business establishment).~~
- 3. Retail sales.
  - a. Antique store.
  - b. Appliance store.
  - c. Art gallery.
  - d. Automobile parts store.
  - e. Bakery.
  - f. Bicycle store.
  - ~~g. Big box. Any single retail space (limited to permitted retail uses in this C-2 district) with a building footprint of equal to or greater than seventy-five thousand (75,000) square feet, if:~~
    - ~~(1) Primary access is not on a local collector\* street; and~~
    - ~~**Note:** \*At the request of the city the term residential has been changed to collector in this subsection.~~
    - ~~(2) Residential zoned property is not located within one thousand three hundred (1,300) feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses).~~
    - ~~However, big box is not permitted in the Environmentally Sensitive Lands Supplementary District.~~
    - ~~Also See Sections 1.403 and 5.1403.B.~~
  - h. Bookstore.
  - i. Camera store.
  - j. Candy store.
  - k. Carpet and floor covering store.
  - l. Clothing store.

- m. Craft shop conducted in conjunction with retail business which may include ceramics, mosaics, fabrics, jewelry, leather goods, silk screening, dress designing, sculpturing and wood carving.
- n. Department store.
- o. Drugstore.
- p. Electronic equipment store.
- q. Fabric store.
- r. Florist.
- s. Furniture store.
- t. Gift shop.
- u. Grocery store or supermarket, **LIMITED TO A BUILDING FOOTPRINT OF EQUAL TO OR LESS THAN FIFTY THOUSAND (50,000) SQUARE FEET.**
- ~~v. Gun shop.~~
- w. Hardware store.
- x. Hobby or toy store.
- y. Home improvement store.
- z. Ice cream store.
- aa. Import store.
- bb. Liquor store.
- cc. Music store.
- ~~dd. Pawnshop.~~
- ee. Pet shop.
- ff. Restaurants, ~~excluding~~ **INCLUDING** drive-in or drive-through types.
- gg. Sporting goods store.
- hh. Stationery store.
- ii. Swimming pool supply store.
- jj. Variety store.
- kk. Restaurant with associated microbrewery where brewed beer is consumed only on-premises and brewery occupies no more than fifteen (15) percent of the floor area of the establishment.

4. Services.

- a. Appliance repair.
- b. Bank.
- c. Barber or beauty shop.
- ~~d. Bowling alley.~~
- e. Broadcasting station and studio, radio or television excluding transmitting or receiving towers.
- f. Clothes cleaning agencies and laundromats excluding industrial cleaning and dyeing plants.
- g. Fitness studio.
- h. Hotel, motel, and timeshare project.
- i. Movie theater (indoor only).
- j. Post office.
- k. Printing, lithography, publishing or photostating establishment.
- ~~l. Fraternities and sororities.~~
- m. Shoe repair.
- ~~n. Taxidermist.~~
- o. Telephone answering service.
- p. **DAY SPA OR HEALTH STUDIO, LIMITED TO A BUILDING FOOTPRINT OF EQUAL TO OR LESS THAN FIFTY THOUSAND (50,000) SQUARE FEET.** ~~Turkish bath that may include masseur and/or masseuse.~~

5. Other uses.
  - a. Accessory buildings.
  - b. Churches and places of worship.
  - c. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.
  - d. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
  - e. Temporary buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
- B. *Uses permitted by a conditional use permit.*
  - ~~1. Adult uses (see Section 1.403 for criteria).~~
  2. Automated carwash.
  3. Bars and cocktail lounges (see Section 1.403 for criteria).
  - ~~4. Big box. Any single retail space (limited to permitted retail uses in this C-2 district) with a building footprint of equal to or greater than seventy-five thousand (75,000) square feet, if:
 
    - ~~a. Primary access is on a local residential street; or~~
    - ~~b. Residential zoned property is located within one thousand three hundred (1,300) feet of the Big box property line (except residential zoned properties separated from the Big box by the Pima Freeway or developed with non-residential uses). However, Big box is not permitted in the Environmentally Sensitive Lands Supplementary District. For Use Permit Provisions and Criteria, See Section 1.403.~~~~
  - ~~5. Bus station, excluding overnight parking and storage of buses.~~
  6. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district (see section 1.403 for criteria).
  - ~~7. Funeral home and chapel.~~
  8. Game center.
  9. Gasoline service station (see section 1.403 for criteria).
  10. **Health studio. WITH A BUILDING FOOTPRINT GREATER THAN FIFTY THOUSAND (50,000) SQUARE FEET.**
  11. Live entertainment (see section 1.403 for criteria).
  12. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.
  - ~~13. Plant nursery (see section 1.403 for criteria).~~
  14. Pool hall.
  15. Residential health care facility (see section 1.403 for criteria).
  - ~~16. Teen dance center (see section 1.403 for criteria).~~
  - ~~17. Internalized community storage (see section 1.403 for criteria).~~
  18. Restaurant with associated microbrewery with limited wholesale and retail sales of the brewed product, where the floor area utilized for brewing, bottling and/or packaging occupies no more than thirty (30) percent of the floor area of the establishment.
  19. Seasonal art festival.

#### Sec. 5.1404. Property development standards.

The following property development standards shall apply to all land and buildings in the C-2 district:

- A. *Floor area ratio.* In no case shall the gross floor area of a structure exceed the amount equal to eight-tenths multiplied by net lot area in square feet.
- B. *Volume ratio.* In no case shall the volume of any structure exceed the product of the net lot area in square feet multiplied by 9.6 feet.
- C. *Open space requirement.*
1. In no case shall the open space requirement be less than ten (10) percent of the net lot area for zero (0) feet to twelve (12) feet of height, plus four-tenths percent of the net lot for each foot of height above twelve (12) feet.
  2. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.
  3. **REQUIRED OPEN SPACE MAY BE DISTRIBUTED AMONG ALL PROPERTIES WITHIN THE PLANNED COMMUNITY DISTRICT (PCD) THROUGH AN OPEN SPACE PLAN APPROVED BY THE DEVELOPMENT REVIEW BOARD.**
- D. *Building height.* ~~No building shall exceed thirty-six (36) feet in height~~ **THE MAXIMUM BUILDING HEIGHT OF ANY BUILDING SHALL COMPLY WITH THE BUILDING HEIGHT LOCATIONS SHOWN ON THE ATTACHED BUILDING HEIGHT PLAN**, except as otherwise provided in article VI or article VII.
- E. *Density.*
1. Hotels, motels, and timeshare projects shall provide not less than ten (10) guest rooms and/or dwelling units with a minimum gross land area of one thousand (1,000) square feet per unit.
  2. Multiple-family dwellings shall provide a minimum floor area of five hundred (500) square feet for each dwelling unit.
- F. *Yards.*
1. Front Yard.
    - a. No front yard is required except as listed in the following three (3) paragraphs and in article VII hereof, unless a block is partly in a residential district, in which event the front yard regulations of the residential district shall apply.
    - b. A minimum of one-half (1/2) of the open space requirement shall be incorporated as frontage open space to provide a setting for the building and a streetscape containing a variety of spaces.
    - c. Where parking occurs between a building and the street a yard of thirty-five (35) feet in depth between the street and parking shall be maintained. This depth may be decreased to a minimum of twenty (20) feet subject to Section 10.402.D.3.
  2. Side Yard
    - a. A side yard of not less than fifty (50) feet shall be maintained where the side of the lot abuts a single-family residential district or abuts an alley which is adjacent to a single-family residential district. The fifty (50) feet may include the width of the alley.

- b. A side yard of not less than twenty-five (25) feet shall be maintained where the side lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.
- 3. Rear Yard.
  - a. A rear yard of not less than fifty (50) feet shall be maintained where the rear lot abuts a single-family residential district or abuts an alley which is adjacent to the single-family residential district. The fifty (50) feet may include the width of the alley.
  - b. A rear yard of not less than twenty-five (25) feet shall be maintained where the rear lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.
- 4. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review [Board] approval or use permit.
- 5. Other requirements and exceptions as specified in article VII.

Sec. 5.1405. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.1406. Signs.

The provisions of article VIII shall apply.



Revisions are shown in **BOLD CAPS** and ~~strikethrough~~.

Sec. 5.2200. (C-O) COMMERCIAL OFFICE DISTRICT.

Sec. 5.2201. Purpose.

This district is intended to provide an environment desirable for and conducive to development of office and related uses adjacent to the central business district or other major commercial cores. In addition, certain other kinds of uses are permitted under conditions and standards which assure their compatibility with a general concentration of office use as well as with the medium and high density residential districts which will often adjoin the C-O district. This district will generally serve to provide a transition from, and occur between, the commercial core and residential districts.

Sec. 5.2202. Approvals required.

No structure or building shall be built or remodeled upon land in the C-O district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

Sec. 5.2203. Use regulations.

- A. *Permitted uses.* Buildings, structures, or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:
  - 1. Business and professional.
    - a. Business college, limited to the teaching of office and business practices and skills.
    - b. Corporate headquarters, which may include transient residential units only for employees on a site of twenty (20) acres or greater.
    - c. Office, business: Any office in which chattels or goods, wares or merchandise are not commercially created, displayed, sold or exchanged, except commercial uses appurtenant thereto, such as restaurants, cocktail lounges, gift shops, newsstand, smoke shop, barbershop, beauty parlors, and small retail shops, provided the entrance of such accessory uses shall be from the interior of the building, lobby or arcade, and there shall be no exterior advertising.
    - d. Office, professional, for: Accountant, architect, chiropractist, chiropractor, dentist, engineer, lawyer, minister, naturopath, osteopath, physician, surgeon, surveyor, optometrist, veterinarian.
    - e. Office, semi-professional, for: Insurance broker, public stenographer, real estate broker, stockbroker, and other persons who operate or conduct offices which do not require the stocking of goods for wholesale or retail, but shall not include barber, beauty operator, cosmetologist, embalmer or mortician except as provided in subparagraph (b) hereof.
    - f. Optician (limited to prescription work only).
    - g. Laboratories: Medical, dental, blood bank.
    - h. Physiotherapist.
    - i. Studio: For professional work, or teaching of any form of commercial or fine arts, photography, music, drama, dance, but not including commercial gymnasium, dance hall or job printing.

- j. Hospitals for animals including boarding and lodging; provided that there shall be no open kennels maintained and provided that all facilities will be in soundproof buildings.
- k. Museum, library, post office.
- l. Broadcasting station and studio, radio or television, but not including sending or receiving tower.
- ~~m. Private and charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards including, but not limited to, the following as well as those otherwise required in the district.~~
  - ~~(1) Location: All proposed private and charter schools shall be located a minimum of five hundred (500) feet from any adult use.~~
  - ~~(2) Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).~~
  - ~~(3) There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.~~
  - ~~(4) Open space: Per underlying zoning district open space requirements. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.~~
  - ~~(5) Parking: Parking shall observe the front yard setbacks of the district for all frontages. One third ( 1/3) of the required parking may be shared parking with other establishments present on site. Parking shall be located and screened per the requirements of the district.~~
  - ~~(6) Outdoor recreation area: All outdoor playgrounds and recreation areas shall be enclosed by a wall or fence sufficient in height to protect the safety and welfare of the students and shall be located within the side or rear yard. Any playground or outdoor recreation area shall be located a minimum of fifty (50) feet from any residential district and screened by a minimum six-foot high wall.~~
  - ~~(7) Drop-off area: A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the school. This area shall not include internal site traffic aisles, parking spaces, fire lanes, etc.~~
  - ~~(8) Any public trails or pedestrian connections shall be incorporated into the site plan and approved by the Development Review Board.~~
  - ~~(9) Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.~~

2. Retail.

- a. Art gallery.
- b. Establishments primarily supplemental in character to other permitted principal uses, such as: Pharmacy, apothecary shop, sale of correction garments, prosthetic devices and optical goods.
- c. Blueprinting, printing, lithograph, publishing or photostating.

3. Service.

- a. Banks, finance offices, lending institutions, stock brokerage firms, savings and loan associations and credit unions.
  - b. Churches and places of worship.
  - c. Day care center, if the drop off or outdoor play area is more than one hundred (100) feet from a residential district.
  - d. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
  - e. Racquet, paddle or handball courts (indoor only).
  - f. Telephone answering service.
  - g. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- B. *Uses subject to a conditional use permit.*
1. Corporate headquarters which includes transient residential units only for employees on a site of less than twenty (20) acres.
  2. Day care center, if the drop off or outdoor play area is within one hundred (100) feet from a residential district (see section 1.403 for criteria).
  3. ~~Funeral home and chapel.~~
  4. Hospital.
  5. Municipal uses.
  6. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.
  7. Private club, ~~fraternity, sorority,~~ and lodges.
  8. Research and development facilities.

Sec. 5.2204. Property development standards.

The following property development standards shall apply to all land and buildings in the C-O district:

- A. *Floor area ratio.* In no case shall the gross floor area of a structure exceed the amount equal to six-tenths multiplied by net lot area in square feet.
- B. *Volume ratio.* In no case shall the volume of any structure exceed the product of the net lot area in square feet multiplied by 7.2 feet.
- C. *Open space requirements.*
  1. In no case shall the open space requirement be less than fifteen (15) percent of the net lot area for zero (0) feet to twelve (12) feet of height, plus five-tenths percent of the total site for each foot of height above twelve (12) feet. Open space as defined in article VI.
  2. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.
  3. **REQUIRED OPEN SPACE MAY BE DISTRIBUTED AMONG ALL PROPERTIES WITHIN THE PLANNED COMMUNITY DISTRICT (PCD) THROUGH AN OPEN SPACE PLAN APPROVED BY THE DEVELOPMENT REVIEW BOARD.**
- D. *Building height.* ~~No building shall exceed thirty-six (36) feet in height~~ **THE MAXIMUM BUILDING HEIGHT OF ANY BUILDING SHALL COMPLY WITH THE BUILDING HEIGHT LOCATIONS SHOWN ON THE ATTACHED BUILDING HEIGHT PLAN,** except that within one hundred (100) feet of any R-1, R-2, R-3, R-

4, R-4R or M-H district no building shall exceed twenty-four (24) feet in height and except as otherwise provided in article VII.

E. *Yards.*

1. Front Yard.

- a. No front yard is required except as listed in the following two (2) paragraphs and in article VII hereof, unless a block is partly in a residential district, in which event the front yard regulations of the residential district shall apply.
- b. A minimum of one-half of the open space requirement shall be incorporated as frontage open space to provide a setting for the building and a streetscape containing a variety of spaces.
- c. Where parking occurs between a building and the street a yard thirty-five (35) feet in depth shall be maintained. This depth may be decreased to a minimum of twenty (20) feet subject to Section 10.402.D.3.

2. Side Yard.

- a. A side yard of not less than fifty (50) feet shall be maintained where the side of the lot abuts a single-family residential district or abuts an alley which is adjacent to a single-family residential district. The fifty (50) feet may include the width of the alley.
- b. A side yard of not less than twenty-five (25) feet shall be maintained where the side lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.

3. Rear Yard.

- a. A rear yard of not less than fifty (50) feet shall be maintained where the rear lot abuts a single-family residential district or abuts an alley which is adjacent to the single-family residential district. The fifty (50) feet may include the width of the alley.
- b. A rear yard of not less than twenty-five (25) feet shall be maintained where the rear lot abuts a multiple-family residential district. The twenty-five (25) feet may include any alley adjacent to the multiple-family residential district.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and a main building or between two (2) main buildings, except that an accessory building with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open space, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All mechanical structures and appurtenances shall be screened as approved by the Development Review Board.

3. All storage and refuse areas shall be screened as determined by Development Review [Board] approval.
4. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review [Board] approval or use permit.

H. *General provisions.* Other requirements and exceptions as specified in article VII.

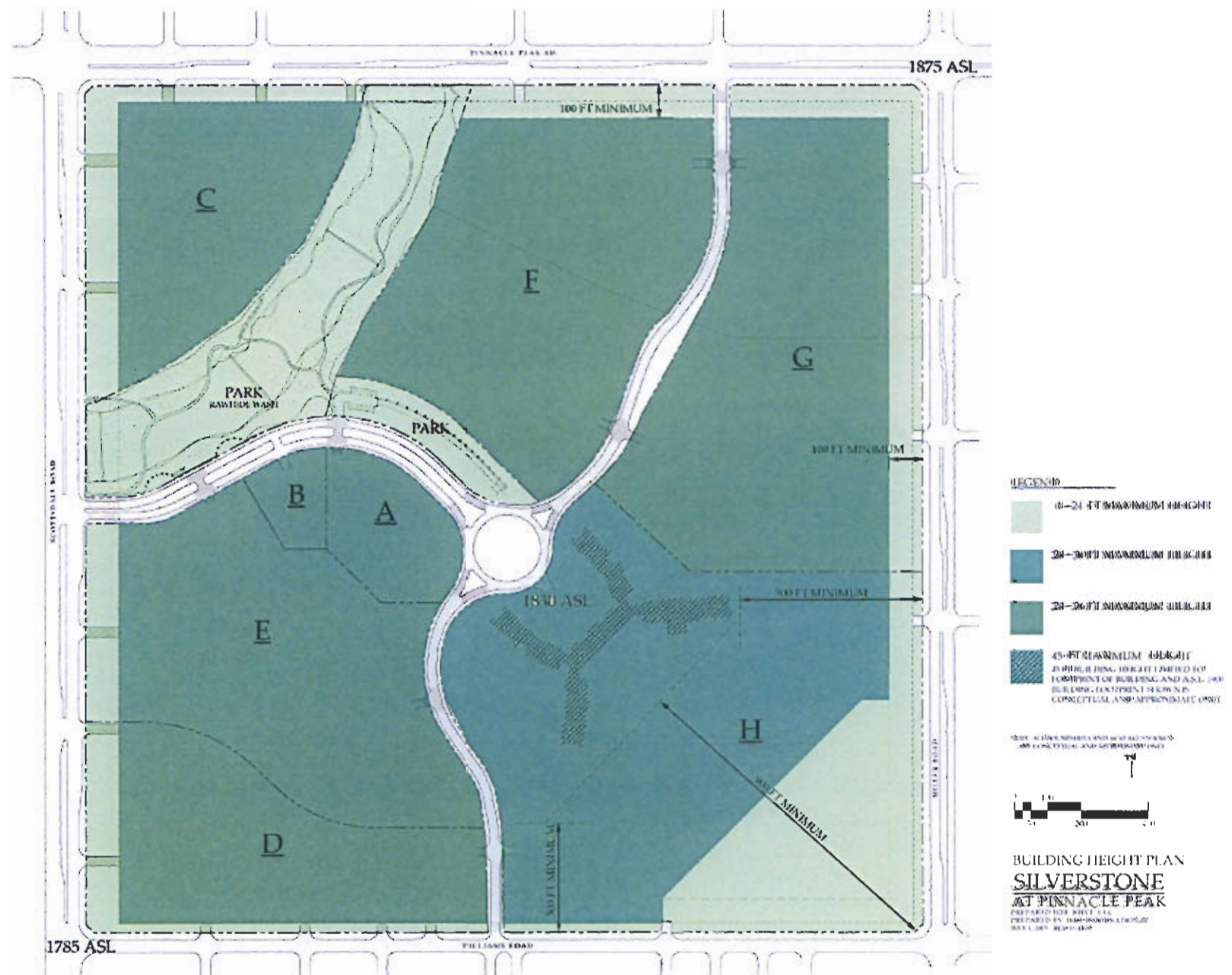
- I. *Access.* All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved in the development review or subdivision plat.

Sec. 5.2205. Off-street parking.

The provisions of article IX shall apply.

Sec. 5.2206. Signs.

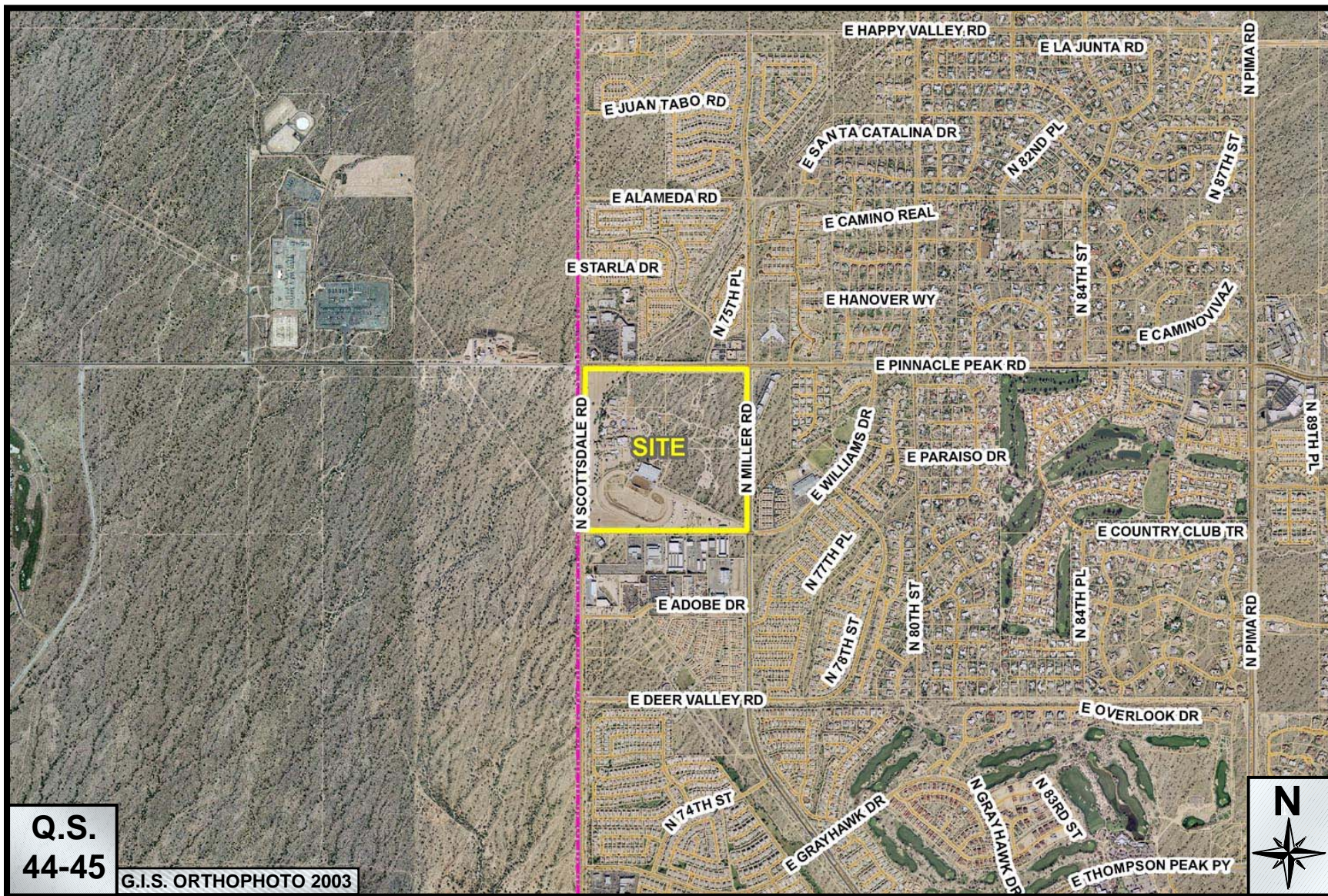
The provisions of article VIII shall apply.



15-ZN-2005

10-31-05





Q.S.  
44-45

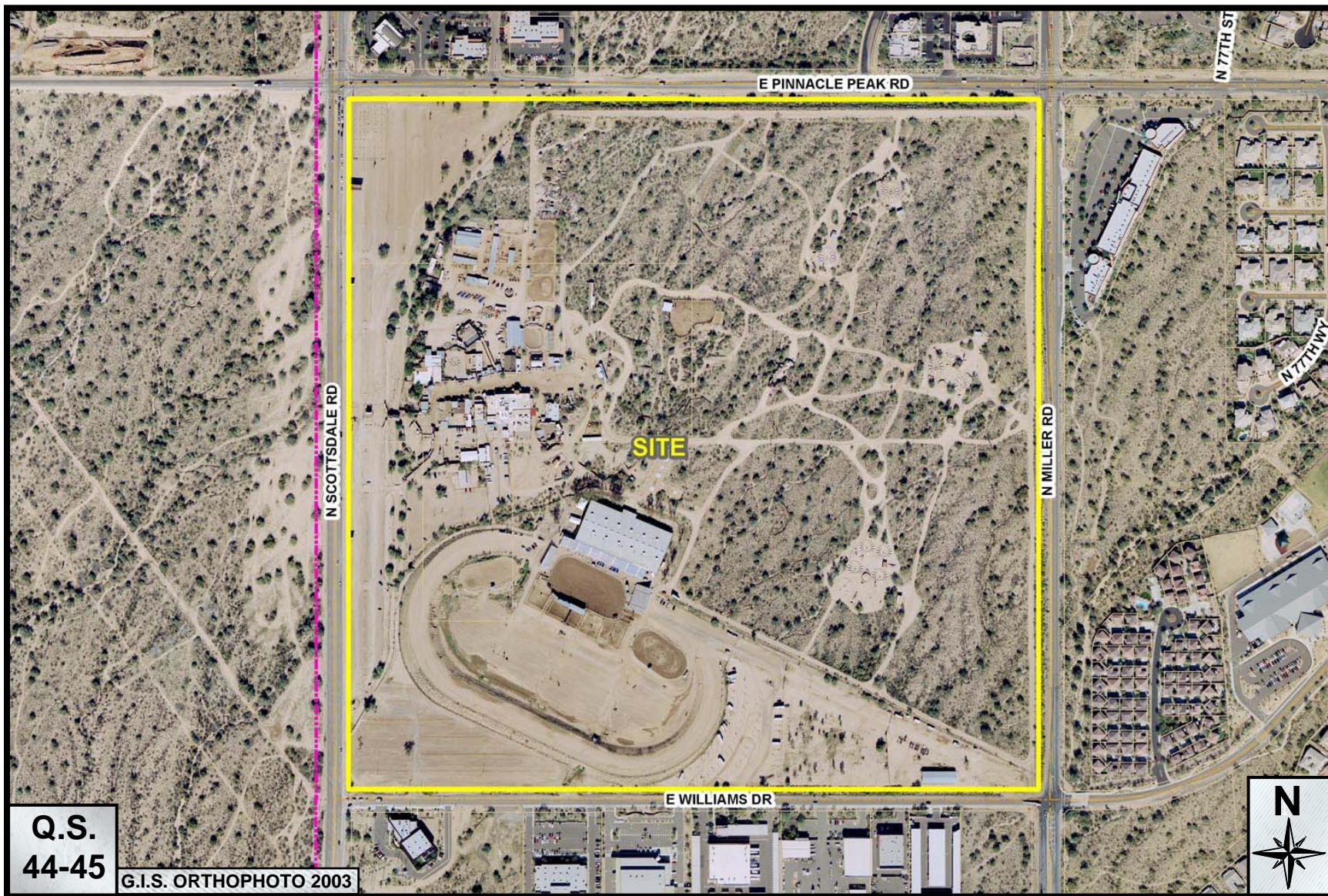
G.I.S. ORTHOPHOTO 2003

Silverstone

15-ZN-2005/13-UP-2005

ATTACHMENT #2





Q.S.  
44-45

G.I.S. ORTHOPHOTO 2003

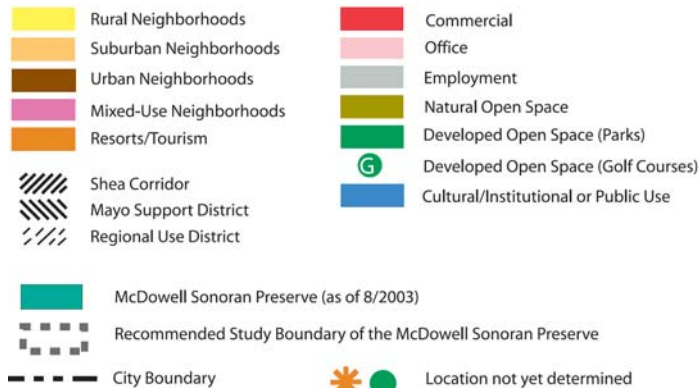
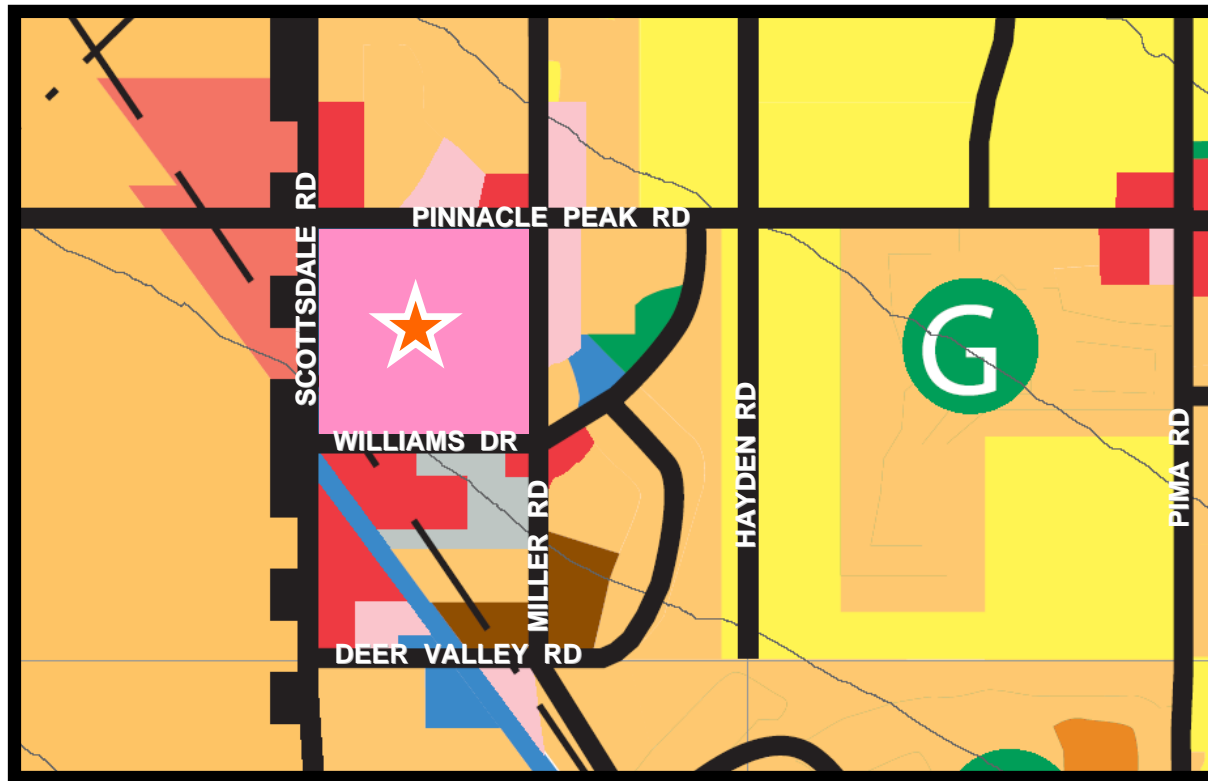
Silverstone

15-ZN-2005/13-UP-2005

ATTACHMENT #2A



# General Plan



**15-ZN-2005/13-UP-2005**

**ATTACHMENT #3**

Adopted by City Council October 30, 2001  
 Ratified by Scottsdale voters March 12, 2002  
 revised to show McDowell Sonoran Preserve as of May 2004  
 revised to reflect General Plan amendments through June 2004



## STIPULATIONS FOR CASE 15-ZN-2005, 13-UP-2005

### PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO LAND USE PLAN.** Development shall generally conform to the land use plan submitted by H&S International with a revision date of 10/4/2005. These stipulations take precedence over the above-referenced land use plan. The applicant understands and agrees that the approved density for each parcel is subject to drainage, topography, and other site planning concerns that will need to be resolved at the time of site plan or preliminary plat approval. Appropriate design solutions to these constraints may preclude achievement of the proposed units or density on any or all parcels. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.
2. **MAXIMUM DENSITY/INTENSITY.** The maximum dwelling units/density and maximum intensity for Parcels shown on the above-referenced land use plan shall be as indicated in the land use budget table below, and as stipulated below.

Parcel	Acres	Comparable Zoning	Land Use	Floor Area/Units	FAR/Density
A and B	4.48	C-O	Municipal	45,000 sq.ft.	0.23
C	12.47	C-2	Retail	95,000 sq.ft.	0.17
D	12.42	C-O	Office	165,000 sq.ft.	0.30
E	17.47	R-5	Residential	262 units	14.9 du/ac
F	21.82	R-5	Residential	186 units	8.5 du/ac
G	23.77	R-5	Residential	258 units	10.8 du/ac
H	34.26	R-5	Residential	270 units	7.8 du/ac
Wash/ Park	12.92	R-5	Wash/Park	--	--
Other	20.39	--	Streets, etc.	--	--
<b>Total</b>	<b>160.00</b>			<b>305,000 sq.ft./ 976 units</b>	

The specific location of each parcel shall be determined at the time of site plan or preliminary plat review. Any redistribution of floor area or dwelling units is subject to Zoning Administrator approval, and limited to the overall total outlined in the land use budget table. Additional floor area may be allowed for municipal uses if determined not be a significant change as determined by the Zoning Administrator. Any redistribution request shall be submitted by the developer with the development review board application and shall include a revised master development plan and a revised land use budget table indicating the parcels with the corresponding reductions and increases. Any proposed significant change, as determined by the Zoning Administrator, shall be subject to subsequent public hearings before the Planning Commission and City Council.

3. **RESIDENTIAL HEALTH CARE FACILITY.** The location of the residential health care facility shall be limited to Parcel H, and shall be limited to 60 units.
4. **LIVE/WORK UNITS.** A maximum of one-third of the dwelling units in Parcel E shall be allowed to be live/work units.
5. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** Development shall conform with the amended development standards attached as Attachment 1B. Any change to the development standards shall be subject to subsequent public hearings before the Planning

Commission and City Council.

6. MUNICIPAL USES. A minimum of 4.48 acres (Parcels A and B) shall be dedicated to the City for municipal use purposes, of which a minimum of 2 acres shall be dedicated along Williams Road for a fire station site. This land is separate from other public or semi-public spaces, including but not limited to streets, parks, wash and drainage easements, scenic corridor easements, landscape buffers, and public art areas.
7. SCENIC CORRIDORS, LANDSCAPED SETBACKS. Scenic corridor width and landscaped setbacks shall comply with the following standards:
  - A. The scenic corridor width along Scottsdale Road shall be a minimum of one hundred (100) feet. The scenic corridor shall be measured from the outside edge of the ultimate street right-of-way.
  - B. The minimum landscaped setback along Pinnacle Peak Road shall be fifty (50) feet.
  - C. The minimum landscaped setback along Miller Road shall be thirty (30) feet.
  - D. The minimum landscaped setback along Williams Road shall be thirty (30) feet.
8. SITE CONDITIONS.
  - A. The existing billboard along Scottsdale Road shall be removed, and the scenic corridor shall be revegetated to a natural condition subject to Development Review Board approval.
  - B. The wash channel and areas disturbed adjacent to the wash channel shall be revegetated to a natural condition subject to Development Review Board approval.
  - C. Areas of the site that have been disturbed shall be revegetated to a natural condition subject to Development Review Board approval. The disturbed areas shall be revegetated at the time when the individual parcel that contains any disturbance is developed.
9. BUILDING HEIGHT LIMITATIONS. Building heights shall conform to the Building Height exhibit submitted by H&S International with a staff date of 10/31/2005 to the satisfaction of the Zoning Administrator. With the Development Review Board submittal, the developer shall submit plans demonstrating how the proposed finish floor grades compare with the existing natural grades to maintain. This is to demonstrate the spirit and intent of the building height limitations.
10. PHASING MASTER PLAN. Timing of the development shall be dictated by improvements to the wash and street network. No office or retail development (Parcels C and D) shall occur until Scottsdale Road and Pinnacle Peak Road are built to their ultimate configurations (6 lanes and 4 lanes respectively). A phasing plan shall be approved by the Planning and Development Services General Manager prior to construction commencing. Any Building pad which remains undeveloped for a period of 1 year or more shall be topped with 2" of decomposed granite or Maricopa County approved dust control methods.
11. DEDICATIONS. The owner/master developer shall dedicate all required rights-of-way, Scenic Corridor easements, and non-vehicular access easements adjacent to, and for Scottsdale Road, Miller Road, Pinnacle Peak Road, Williams Road and the Internal loop roads prior to the issuance of the first encroachment and/or building permit.
12. DEDICATIONS. The owner/master developer shall dedicate all drainage easement required for the wash channel modifications prior to the encroachment and/or building permit.
13. DEDICATIONS. Each individual parcel owner/developer shall dedicate the all associated easements and rights-of-way as determined by the Development Review Board.
14. IMPROVEMENTS. It shall be the responsibility of the owner/master developer for the

construction and dedication of all street improvements, water facilities, and wastewater facilities necessary to serve the development prior to the issuance of the first above ground building permit. The Planning and Development Services General Manager shall have the option to allow above-grade permits to be issued prior to the completion of the street improvements, water facilities, and wastewater facilities necessary to serve the development if the appropriate related permits have been issued, and substantial assurances (bonding) has been provided to City of Scottsdale for the required improvements.

15. IMPROVEMENTS. If any off-site improvements/facilities that the City of Scottsdale currently has planned to be constructed, and the City of Scottsdale have not yet constructed the improvements, the owner/developer shall construct the any associated off-site improvement if it is determined by the Development Review Board that the improvements are necessary to serve the development.

#### MASTER PLANS

1. MASTER PLANS GENERALLY. The developer shall have each of the Circulation and Drainage Master Plans prepared by a registered engineer licensed to practice in the State of Arizona. Each Master Plan shall be subject to city staff approval prior to any other Development Review Board submittal.
2. MASTER CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a Master Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and design of street intersections, site driveways, internal streets, parking lot access, preliminary roundabout dimensions, and transit facilities. The plan shall also identify the phasing of the street construction for the major streets on the perimeter of the site and the primary internal streets.
3. DRAINAGE MASTER PLAN: The developer shall submit a master drainage report and plan subject to city staff approval. The master drainage report and plan shall conform the approved Drainage Design Report (Plan Check #3678-05) and to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the master drainage report and plan shall:
  - A. Include a complete description of requirements relating to project phasing.
  - B. Identify the timing of and parties responsible for construction of all storm water management facilities.
  - C. Identify improvements to the Rawhide Wash, including but not limited to retaining walls, scour walls, head walls, bridges, control structures, street and pedestrian crossing, and open space amenities.
  - D. Correspondence with State Lands/City of Phoenix to west
  - E. Bridge timing/responsibility (Scottsdale Rd. and Pinnacle Peak), with grade separated crossing for pedestrian access under Pinnacle Peak Road and under Scottsdale Road.
  - F. Before master drainage report approval, the developer shall, when requested by city staff, submit two (2) hard copies and one (1) disc copy of the complete master drainage report.
  - G. Before the improvement plan submittal, the developer shall have obtained approval of the master drainage report.
4. MASTER ENVIRONMENTAL DESIGN CONCEPT PLAN. Prior to any Development Review Board hearings for any building, owner/master developer shall submit and receive approval from the Development Review Board a Master Environmental Design Concept Plan (MEDCP). The MEDCAP address the following:
  - A. Architectural designs for: perimeter walls, walls adjacent to the loop roads, fencing, drainage headwalls and drainage headwall railings.
  - B. Building material and colors consistent with the Environmentally Sensitive Lands design guidelines.
  - C. General design and architectural themes, and building orientations, to assure overall design

- compatibility of all buildings and structures on the site.
  - D. Entry monuments and master sign program.
  - E. Outdoor lighting fixture designs.
  - F. Wash/channel erosion protection and slope stabilization.
  - G. Overall streetscape concepts which incorporate street side and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations
  - H. Horizontal street and pedestrian designs.
  - I. Multi-use trails and Multi-use path designs.
  - J. Master landscape theme and plant palette.
  - K. Native plant relocation program and revegetation guidelines for each parcel.
  - L. Median landscaping.
  - M. Desert, and wash/channel revegetation techniques.
  - N. Community entry designs.
  - O. Open space design concepts for open space areas, including the Rawhide Wash and park areas, open space corridors, and bikeways.
  - P. Street wash crossing, specifically the culvert designs.
  - Q. Grade and separated grade crossings cross-section of Scottsdale Road and Pinnacle Peak Road.
5. LIMITS OF CHANNEL WASH DISTURBANCE. With the Master Environmental Design Concept Plan, the owner/master shall submit a detailed plans clearly defining the limits of construction of all improvements necessary to serve the proposed buildings.
6. PUBLIC ART MASTER PLAN. The developer shall provide original works of art costing of a minimum of one (1) percent of the total building valuation. The public art shall be installed and maintained in accordance with the provisions of the Scottsdale Zoning Ordinance (Sec. 5.3083. Cultural improvements program), and the Scottsdale Revised Code section 20-121 and 20-121.1 (Art in public places program). The developer may pay an amount equal to one (1) percent of the building valuation or any portion of the obligation not used on site, into the cultural trust fund, in lieu of installing original art work. Such amount shall be disbursed in accordance with the provisions of the art in public places program, provided that art work purchased with monies deposited in the cultural trust fund, shall be placed only within the boundaries of this project. A Public Art Master Plan shall be submitted with the first Development Review Board submittal that demonstrates compliance with the public art requirement, including a location plan and an implementation plan of any phasing of various art components.

## WATER

1. BASIS OF DESIGN REPORT (WATER). Before the improvement plan submittal to the Planning and Development Services Department, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall conform to the approved Master Plan (Plan Check #3046-05), and the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
- a. Identify the location, size, condition and availability of existing water lines and related water related facilities such as water valves, water services, fire hydrants, back-flow prevention structures, etc.
  - b. Identify the timing of and parties responsible for construction of all water facilities.
  - c. Include a complete description of requirements relating to project phasing.
2. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Planning and Development Services Department, the developer shall have obtained approval of the Basis of Design Report.

3. **WATERLINE EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code the Design Standards and Policies Manual, all water easements necessary to serve the site.

#### WASTEWATER

1. **BASIS OF DESIGN REPORT (SANITARY SEWER).** ). Before the improvement plan submittal to the Planning and Development Services Department, the developer shall submit a basis of design report and plan subject to Water Resources Department approval. The basis of design report shall be in conformance with the approved Master Plan (Plan Check #3046-05), and the Design Standards and Policies Manual. In addition, the basis of design report and plan shall:
  - a. Identify the location of, the size, condition and availability of existing sanitary sewer lines and wastewater related facilities.
  - b. Identify the timing of and parties responsible for construction of all sanitary sewer facilities.
  - c. Include a complete description of requirements relating to project phasing.
2. **APPROVED BASIS OF DESIGN REPORT.** Before the improvement plan submittal to the Planning and Development Services Department, the developer shall have obtained approval of the Basis of Design Report.
3. **SANITARY SEWER EASEMENTS.** Before the issuance of any building permit for the site, the developer shall dedicate to the city, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve the site.
4. **CONVEYANCE OF TRACTS/LOTS.** Unless otherwise agreed to in writing by the Asset Management Coordinator, each tract or lot dedicated to the city shall be:  
conveyed by a general warranty deed, and  
accompanied by a title policy in favor of the city, both to the satisfaction of city staff as designated by the Asset Management Coordinator.

#### CIRCULATION

1. **STREET CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

<b>Street Name/Type</b>	<b>Dedications</b>	<b>Improvements</b>	<b>Notes</b>
Scottsdale Road Major Arterial	75' half (55' existing)	Half street, Fig. 5.3-2	A, B, C, D, E
Pinnacle Peak Road Minor Arterial	55' half (existing)	Half street, Fig. 5.3-5	A, B, C, D, E
Miller Road Minor Arterial	55' half (40' existing)	Half street, Fig. 5.3-5	A, B, D, E
Williams Road Major Collector	50' half (40' existing)	Half street, Fig. 5.3-10	A, B, D, E
Internal Streets Local Collector	50' full	Full street, Fig. 5.3-17	A, D, F
Internal Streets Local Residential	46' full	Full street, Fig. 5.3-20	A, D, F

- A. The street cross sections noted shall be in conformance with the City's Design Standards and Policies Manual unless otherwise modified through the master circulation plan.
  - B. The street improvements shall include a minimum eight-foot sidewalk along the street frontages.
  - C. The Scottsdale Road and Pinnacle Peak Road street improvements shall include bridges at the Rawhide Wash crossings as determined by the drainage analysis. Full width improvements for Pinnacle Peak Road along the site frontage may be completed instead of making an in-lieu payment for Scottsdale Road improvements as outlined in Circulation Stipulation Number 2 below.
  - D. The street improvements noted shall be completed prior to the issuance of any certificate of occupancy for any parcels per the schedule contained in Circulation Stipulation Number 3 below.
  - E. The developer shall provide any improvements supported by the approved traffic impact study for the site, as determined by the city staff, unless otherwise approved by the Transportation General Manager.
  - F. Internal streets with projected daily traffic volumes exceeding 1,500 vehicles shall be classified as Local Collector streets
2. **IN LIEU PAYMENTS.** At the direction of city staff, before issuance of any building permit for the site, the developer shall not construct the Scottsdale Road street improvements specified by the **Notes** in the stipulation above, but shall make an in lieu payment to the city. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of a major arterial half street, including two lanes of pavement with curb and gutter, half median improvements (curb, gutter and landscaping), and any required drainage structures. The in lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by city staff.
3. **TIMING OF STREET IMPROVEMENTS.** Prior to any certificate of occupancy for the noted development parcels, the associated street improvements described below shall be completed:  
  
Residential Parcels E, F, G, & H:
  - Pinnacle Peak Road – Full street construction (four lanes) from Scottsdale Road to Miller Road.
  - Miller Road - West half street construction from Pinnacle Peak Road to Williams Road.
  - Williams Road - north half street construction from Scottsdale Road to Miller Road.
  - Pinnacle Peak Road and Scottsdale Road – Additional interim turn lanes as recommended by the approved traffic impact study.
  - Williams Road and Scottsdale Road – Traffic signal construction.
  - Pinnacle Peak Road and Miller Road - Additional turn lanes as recommended by the approved traffic impact study
  - Williams Road and Miller Road – Traffic signal construction.  
Non-Residential Parcels C & D:
  - Scottsdale Road – Full street construction (six lanes) from Thompson Peak Parkway to Pinnacle Peak Road.
  - Pinnacle Peak Road and Scottsdale Road – Additional turn lanes as recommended by the approved traffic impact study.
4. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines) unless otherwise approved through the master circulation plan:



- a. Scottsdale Road - There shall be a maximum of three site driveways from Scottsdale Road, with a minimum of 600 feet between the driveways and street intersections. Full median openings shall be limited to one-quarter mile spacing. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrances.
  - b. Pinnacle Peak Road - There shall be a maximum of six site driveways from Pinnacle Peak Road, with a minimum separation of 300 feet between the driveways and street intersections. Full median openings shall be limited to approximately 660 foot spacing, aligning with existing intersections to the north. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrances.
  - c. Miller Road - There shall be a maximum of six site driveways from Miller Road, with a minimum separation of 300 feet between the driveways and street intersections. Full median openings shall be limited to approximately 660 foot spacing, aligning with existing intersections to the east. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrances.
  - d. Williams Road - There shall be a maximum of six site driveways from Williams Road, with a minimum separation of 300 feet between the driveways and street intersections. Driveways and street intersections shall align with existing driveways to the south or be offset a minimum distance of 250 feet. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street entrances.
5. AUXILIARY LANE CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by city staff, and construct right-turn deceleration lanes at all site entrances on all arterial street frontages (Scottsdale Road, Pinnacle Peak Road, and Miller Road), in conformance with the Design Standards and Policies Manual.
6. INTERSECTION RIGHT-OF-WAY. Before issuance of any certificate of occupancy for the site, the developer shall dedicate a minimum 25-foot radius right-of-way at the intersection of all major streets, in conformance with the Design Standards and Policies Manual.
7. PEDESTRIAN CIRCULATION PLAN. With the Development Review Board submittal, the developer shall submit a Pedestrian Circulation Plan for the site, which shall be subject to city staff approval. This plan shall indicate the location and width of all sidewalks and pedestrian pathways.
8. TRAFFIC SIGNAL PARTICIPATION. Before issuance of any certificate of occupancy for the site, the developer design and construct traffic signals at the following intersections:
  - a. Scottsdale Road and Williams Road
  - b. Miller Road and Williams Road

The developer shall be responsible for the modification of the existing traffic signals at the Scottsdale Road and Pinnacle Peak Road, and Miller Road and Pinnacle Peak intersections associated with any street improvements.
9. MULTI-USE PATH. Before any certificate of occupancy is issued for the site, the developer shall construct a minimum 10-foot wide multi-use path within the Rawhide Wash. The path shall be contained within the drainage easement, which shall be dedicated to include public access. The developer shall dedicate the easement to the city within twelve (12) months of City Council approval. The alignment of the path shall be subject to approval by the city's Transportation Planning Division staff prior to dedication. The path shall be designed in conformance with the Design Standards and Policies Manual – Transportation, Bikeways Section.

10. MULTI-USE TRAIL – SCOTTSDALE ROAD. Before any certificate of occupancy is issued for the site, the developer shall construct a minimum 8-foot wide multi-use trail along Scottsdale Road in accordance with the approved Trail System Master Plan. The trail shall be contained within the scenic corridor easement, which shall be dedicated to include public access. The developer shall dedicate the easement to the city within twelve (12) months of City Council approval. The alignment of the trail shall be subject to approval by the City's Trails Planner prior to dedication. The trail shall be designed in conformance with the Design Standards and Policies Manual – Medians, Parks, and Trails, Non-Paved Trails Section.
12. MULTI-USE TRAIL – RAWHIDE WASH. Before any certificate of occupancy is issued for the site, the developer shall construct a minimum 8-foot wide multi-use trail within the Rawhide Wash in accordance with the approved Trail System Master Plan. The trail shall be contained within the drainage easement, which shall be dedicated to include public access. The developer shall dedicate the easement to the city within twelve (12) months of City Council approval. The alignment of the trail shall be subject to approval by the City's Trails Planner prior to dedication. The trail shall be designed in conformance with the Design Standards and Policies Manual – Medians, Parks, and Trails, Non-Paved Trails Section.
13. TRANSIT FACILITIES. Before any certificate of occupancy is issued for the site, the developer shall construct a bus bay and stop facilities (shelter, bench and trash can) at the following locations:
  - Scottsdale Road just north of Williams Road,
  - Scottsdale Road just north of the main site entrance,
  - Pinnacle Peak Road just east of Scottsdale Road,
  - Pinnacle Peak Road approximately one-quarter mile east of Scottsdale Road.

The design and location of these facilities shall be subject to city staff approval (Transit Department 480-312-7696) before any final plan approval. The development plan for any assisted living or congregate care facilities shall provide a pick-up area for Dial-A-Ride service.
14. PRIVATE STREET CONSTRUCTION. All private streets shall be constructed to full public street standards, except equivalent construction materials or wider cross-sections may be approved by city staff. In addition, all private streets shall conform to the following requirements:
  - a. No internal private streets shall be incorporated into the city's public street system at a future date unless they are constructed, inspected, maintained and approved in conformance with the city's public street standards. Before any lot is sold, the developer shall record a notice satisfactory to city staff indicating that the private streets shall not be maintained by the city.
  - b. Before issuance of any certificate of occupancy for the site, the developer shall post access points to private streets to identify that vehicles are entering a private street system.
  - c. Secured access shall be provided on private streets only. The developer shall locate security gates a minimum of 75 feet from the back of curb to the intersecting street. The developer shall provide a vehicular turn-around between the public street and the security gate.

**TRAFFIC IMPACT ANALYSIS SUMMARY**  
**Silverstone at Pinnacle Peak**  
**177-PA-2005/15-ZN-2005/7-GP-2005**

**Summary Prepared by Jennifer Bohac, COS Traffic Engineering**  
**Traffic Impact Study Prepared by Cathy Hollow, Parsons Brinkerhoff.**

**Existing Conditions:**

The site is located along Scottsdale Road, extending from Williams Drive to Pinnacle Peak Road. The site extends east from Scottsdale Road to Miller Road.

Scottsdale Road is classified as a Major Arterial Roadway in the city's Streets Master Plan. Scottsdale Road currently consists of two lanes in each direction along the western boundary of the site. Future plans call for an expansion to three lanes in each direction with a raised center median. The intersection of Scottsdale Road/Pinnacle Peak, which is currently a four-leg intersection, is signalized. The posted speed limit on Scottsdale Road the vicinity of the site is 55 mph. The current daily traffic volume adjacent to the site is 33,000 vehicles.

Pinnacle Peak Road is classified as a Minor Arterial on the city's Streets Master Plan. Pinnacle Peak currently consists of one lane in each direction with a center turn lane in the vicinity of the site. The intersection of Pinnacle Peak Road and Miller Road is signalized. The posted speed limit on Pinnacle Peak Road is 45 mph. The current daily traffic volume adjacent to the site is 17,400 vehicles.

Miller Road, which is a north-south roadway that connects Happy Valley Road with Deer Valley Road, is classified as a Minor Arterial on the city's Streets Master Plan. In the vicinity of Pinnacle Peak Road, Miller Road currently consists of two northbound lanes and one southbound lane with a raised median; in the vicinity of Williams Road, Miller Road consists of one lane in each direction. The posted speed limit on Miller Road is 35 mph. The current daily traffic volume adjacent to the site is 9,600 vehicles.

Williams Road is classified as a Major Collector on the city's Streets Master Plan. The intersection of Williams Road and Scottsdale Road is a two-way stop controlled intersection, with the Williams Road approaches being stop controlled. The intersection of Williams Road and Pinnacle Peak Road is unsignalized, with the north and south approaches being stop controlled. The posted speed limit on Williams Road is 30 mph. The current daily traffic volume adjacent to the site is 3,500 vehicles.

In the immediate vicinity of the site, there are several existing developments. Current Land uses surrounding the site are:

- To the north, retail-office
- To the south, industrial-commercial
- To the east – retail, office, residential
- To the west – vacant (City of Phoenix)

The accident history in the vicinity of the proposed site was examined for the period from 2002-2004. Table 1 below presents a summary of the accident rates by year. The accident rates are shown as accidents/million entering vehicles.

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**TABLE 1- INTERSECTION ACCIDENT SUMMARY**

<b>Location</b>	<b>2002</b>	<b>2004</b>
	<b>Accident Rate</b>	<b>Accident Rate</b>
Scottsdale & Pinnacle Peak	0.86	0.71
Miller & Pinnacle Peak	NA	0.54
City-wide Average	0.54	0.63

This area is expanding with planned developments along with residential subdivisions and retail centers already built and prospering nearby. To the west of Scottsdale Road, is the planned Paradise Ridge development, which will likely have a high-intensity development plan of various residential and commercial elements.

**Proposed Development:**

The 160-acre site currently has a zoning designation of Western Theme Park (W-P). The proposed rezoning to Community District (P-C) and change in the General Plan from Cultural/Institutional to Mixed-use would allow the development of 165,000 SF of general office space; 95,000 SF of retail space; 25,000 SF of library (municipal use); a 10,000 square foot fire station; 706 residential townhouse/condominium units (with some units identified as "live-work" units), 270 congregate care residential units, and 60 beds for assisted living.

The trip generation calculation for the current zoning is based on potential development allowed by the existing Western Theme Park (W-P) category. The trip generation for the proposed zoning is based on the development plan submitted with the requested change to the Community District (P-C) zoning category. The trip generation estimate for the previous land use on the site, the Rawhide Western Theme Park, was based upon an estimated 800,000 annual visitors. It should be noted that this comparison was for an average weekday and the trip generation would likely be higher on the weekends and during special events. The trip generation numbers for the development under the current and proposed zoning categories are presented in the Table 2.

This trip generation is based on data contained in the Institute of Transportation Engineer's *Trip Generation*. The trip generation calculations indicate that the proposed development would generate approximately 13,657 daily trips, with 698 trips generated during the a.m. peak hour and 1,317 trips generated during the p.m. peak hour.

**TABLE 2 - TRIP GENERATION COMPARISON**

Land Use	Daily Total	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
<b>Development Under Current Zoning</b>							
Western Theme Park	7,576	19	2	21	241	154	395
Rawhide Traffic Estimate	2,200						
<b>Development Under Proposed Zoning</b>							
Retail – 95,000 SF	6,568	93	59	152	290	315	605
Office – 165,000 SF	1,962	246	34	280	45	219	264
Office (live/work) – 87 units	396	0	0	0	0	0	0
Condo/Town home (Parcel E2)– 973 units	1,033	16	65	81	62	33	95
Condo/Town home (Parcels F & G) – 444 units	2,279	34	136	170	133	71	204
Municipal Use (Library) – 25,000 SF	1,379	20	8	28	76	83	159
Congregate Care – 270 units	545	10	6	16	26	20	46
Assisted Living – 60 beds	213	5	3	8	6	7	13
Sub-Total	14,375	424	311	735	638	748	1,386
Internal Trips (5%)	719	21	16	37	32	37	69
<b>Proposed Total</b>	<b>13,657</b>	<b>403</b>	<b>295</b>	<b>698</b>	<b>606</b>	<b>711</b>	<b>1,317</b>

**Future Conditions:**

The traffic impact study was being revised at the time the staff reports were due. An updated version of this summary will be provided prior to the Planning Commission hearing.

**Additional Information:**

Pinnacle Peak Road, Scottsdale to Pima Road, is being planned as a four-lane roadway (two each direction) with a raised landscaped median. The current adopted capital improvement plan shows funding for construction becoming available in Fiscal Year 2007-08. There is currently a combination of \$9.75M in Bond 2000 funds and \$1M in developer contributions available between now and Summer 2007.

Scottsdale Road, Thompson Peak to Pinnacle Peak, is being planned to expand the current four-lane roadway to the six lane ultimate cross-section with a raised landscaped median. There is \$2.5 M in Bond 2000 funds and \$5.83M of ½ cent sales tax money programmed for FY 08/09 and 09/10. There may be ½ cent sales tax money available if the City can use the savings from the 101 frontage road project to advance Scottsdale Road out of Phase II (2011-2015) of the Regional Transportation Plan. Based on MAG's current cash flow projections, advancing this section of Scottsdale Road ahead of 2008 is unlikely. The City would however want to make sure the Pima Road improvements are complete up to Pinnacle Peak, so that the construction on Scottsdale Road and Pima Road are not running concurrently. It is currently estimated that this project will be constructed during the years 2010/2011.

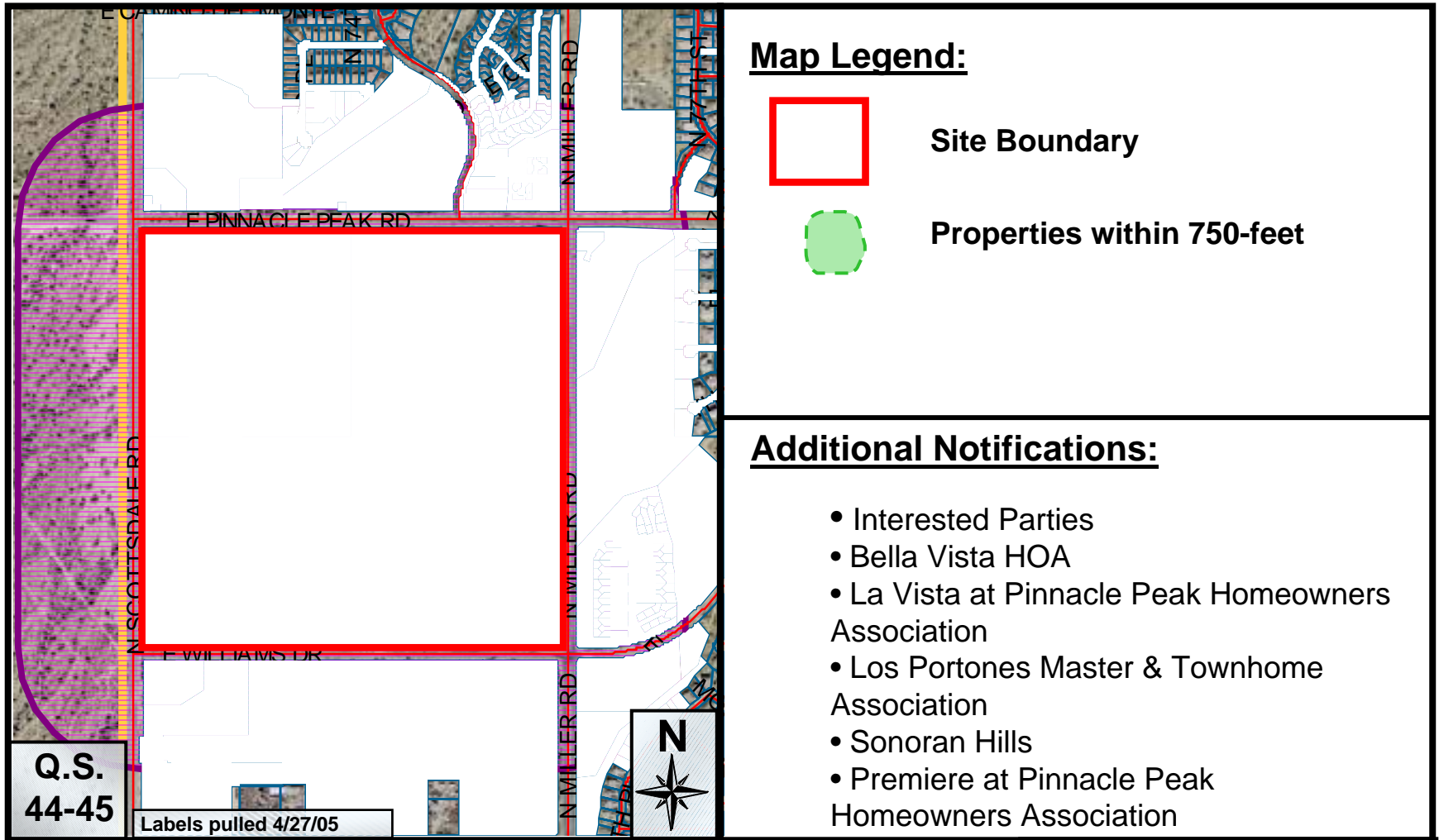
**Summary:**

Analysis of the trip generation calculations indicate that the proposed development would generate approximately 13,657 daily trips, with 698 trips generated during the a.m. peak hour and 1,317 trips generated during the p.m. peak hour. .

Silverstone - (15-ZN-2005 & 13-UP-2005)  
Attachment #7 Citizen Involvement

The above attachment is on file at the City of  
Scottsdale Current Planning office,  
7447 E Indian School Road, Suite 105.

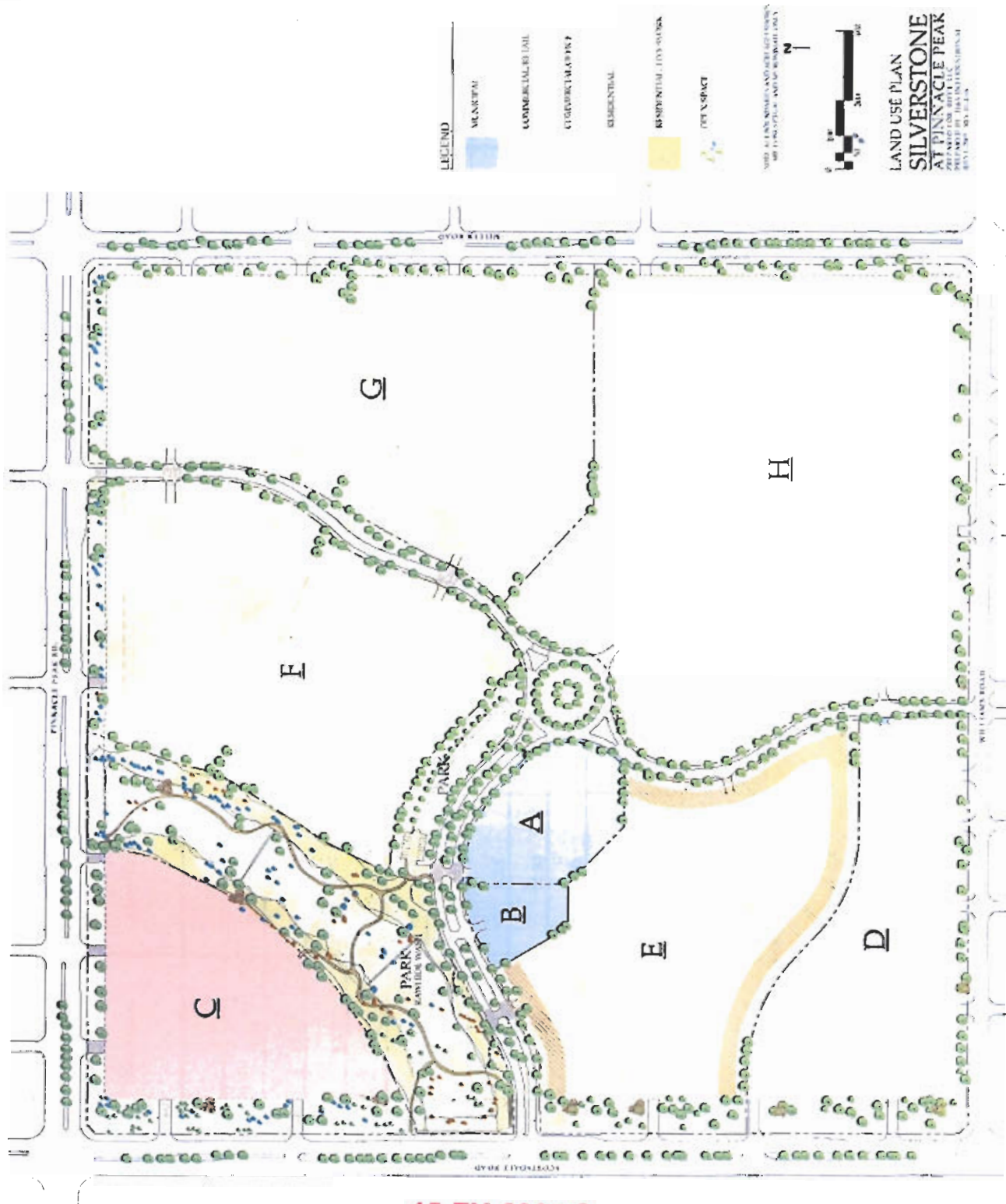
# City Notifications – Mailing List Selection Map



**Silverstone**

**15-ZN-2005/13-UP-2005**





**15-ZN-2005 &  
13-UP-2005**

**LAND USE BUDGET SUMMARY**

Parcel	Use	Total Acres (1)	Open Space	Residential Uses		Non-Residential Uses		
				DU/A Range	Dwelling Unit Allocation (2) (5)	C-2 (3)	C-O	Other (4)
A	Municipal	3.24	0.65					25,000
B	Municipal	1.24	0.25					15,000
C	Retail	12.47	2.49			95,000		
D	Office	12.42	2.48				165,000	
E	Residential	17.47	3.49	12-15	262 (3)			
F	Residential	21.82	4.36	8-10	186			
G	Residential	23.77	4.75	10-12	258			
H	Residential	34.26	6.85	8	270 (6)			
Wash		11.32	11.32					
Park		1.60	1.60					
Streets		7.60						
Total Acres		147.21	38.26					
Total Dwelling Units				976				
Total Building Area						95,000	165,000	40,000

N.B.: All areas are approximate

(1) Numbers are approximate due to parcel boundary shifts that may be required during detailed land planning and engineering.

(2) The Total Number of Residential Units shall not exceed 976

(3) Up to one-third of Dwelling Units may be Live/Work

(4) Other Uses include Municipal uses, Underlying Zoning for Parcels A and B to be C-O

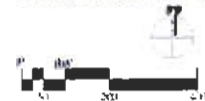
(5) Transfer of Dwelling Units between parcels is permitted as long as the Maximum Dwelling Units does not exceed 976 units for the entire property and , on a parcel by parcel basis does not exceed the maximum DU/A's indicated under the DU/A Range column

(6) Dwelling Unit Allocation does not include the approximate 60 beds in the Care Facility.

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13-UP-2005



NOTE: ALL DIMENSIONS AND LOCATIONS SHOWN  
ARE CONCEPTUAL AND APPROXIMATE ONLY



BUILDING HEIGHT PLAN  
SILVERSTONE  
AT PINNACLE PEAK  
PREPARED FOR: RPT, LLC  
PREPARED BY: HAS INTERNATIONAL  
DATE: 1.10.05 REV: 10-4-05

15-ZN-2005

10-31-05